

SPECIAL COURT FOR SIERRA LEONE

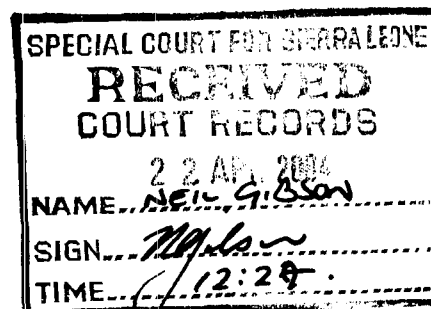
OFFICE OF THE PROSECUTOR

Freetown – Sierra Leone

Before: Judge Bankole Thompson, Presiding Judge
 Judge Benjamin Mutanga Itoe
 Judge Pierre Boutet

Registrar: Mr. Robin Vincent

Date filed: 21 April 2004

**THE PROSECUTOR**

Against

ALEX TAMBA BRIMA also known as TAMBA ALEX BRIMA also known as GULLIT

BRIMA BAZZY KAMARA also known as IBRAHIM BAZZY KAMARA also known as ALHAJI IBRAHIM KAMARA

And

SANTIGIE BORBOR KANU also known as 55 also known as FIVE-FIVE also known as SANTIGIE KHANU also known as SANTIGIE KANU also known as S. B. KHANU also known as S. B. KANU also known as SANIGIE BOBSON KANU also known as BORBOR SANTIGIE KANU

CASE NO. SCSL-2004-16-PT

PROSECUTION SUPPLEMENTAL PRE-TRIAL BRIEF**PURSUANT TO ORDER TO THE PROSECUTION TO FILE A****SUPPLEMENTAL PRE-TRIAL BRIEF****OF 1 APRIL 2004**Office of the Prosecutor:

Luc Côté
 Robert Petit
 Lesley Taylor
 Alain Werner
 Christopher Santora

Defence Counsel:

Terrence Terry
 Ken Fleming
 Geer-Jan Alexander Knoops

TABLE OF CONTENTS

A. INTRODUCTION.....	3
B. THE SPECIFIC CASE AGAINST EACH INDIVIDUAL ACCUSED.....	3
(a) GENERAL ISSUES.....	3
(b) ALEX TAMBA BRIMA.....	5
General.....	5
Count 1: Terrorizing the Civilian Population.....	6
Count 2: Collective Punishments.....	6
Counts 3 – 5: Unlawful Killings.....	7
Counts 6 – 8: Sexual Violence.....	32
Counts 9 – 10: Physical Violence.....	49
Count 11: Use of Child Soldiers.....	66
Count 12: Abductions and Forced Labour.....	69
Count 13: Looting and Burning.....	87
Counts 14 – 17: Attacks on UNAMSIL Personnel.....	101
(b) BRIMA BAZZY KAMARA.....	103
General.....	103
Count 1: Terrorizing the Civilian Population.....	104
Count 2: Collective Punishments.....	104
Counts 3 – 5: Unlawful Killings.....	105
Counts 6 – 8: Sexual Violence.....	130
Counts 9 – 10: Physical Violence.....	147
Count 11: Use of Child Soldiers.....	164
Count 12: Abductions and Forced Labour.....	167
Count 13: Looting and Burning.....	186
Counts 14 – 17: Attacks on UNAMSIL Personnel.....	200
(c) SANTIGIE BORBOR KANU.....	203
General.....	203
Count 1: Terrorizing the Civilian Population.....	204
Count 2: Collective Punishments.....	204
Counts 3 – 5: Unlawful Killings.....	205
Counts 6 – 8: Sexual Violence.....	228
Counts 9 – 10: Physical Violence.....	245
Count 11: Use of Child Soldiers.....	262
Count 12: Abductions and Forced Labour.....	265
Count 13: Looting and Burning.....	283
Counts 14 – 17: Attacks on UNAMSIL Personnel.....	297
C. DISTINGUISHING THE CASE AGAINST ALLEGED RUF AND AFRC MEMBERS.....	300

A. INTRODUCTION

1. The Prosecutor submits this Supplemental Pre-Trial Brief in compliance with the ORDER TO THE PROSECUTION TO FILE A SUPPLEMENTAL PRE-TRIAL BRIEF dated 1 April 2004.
2. Annexed to this Brief, in compliance with the order in paragraph 2.a., are two charts detailing the testimonial and documentary evidence upon which the Prosecution relies to establish the factual allegations set out in the indictment and the Prosecution Pre-Trial Brief dated 1 March 2004.
3. The section following immediately hereafter, in compliance with the order in paragraph 2.b., elaborates on the specific case against each individual accused, with particular attention given to the alleged nexus between each accused and the alleged crimes.
4. The final section of this Supplemental Pre-Trial Brief, in compliance with the order in paragraph 2.c., further distinguishes the case against alleged members of the RUF and the AFRC to the extent possible in light of the decision of the Trial Chamber of 27 January 2004.

B. THE SPECIFIC CASE AGAINST EACH INDIVIDUAL ACCUSED

(a) GENERAL ISSUES

5. The case against each of the three accused is analysed separately below. Each analysis is to be read in conjunction with the general issues raised in this subsection.
6. In relation to all counts of the indictment alleged against each accused, it is the case for the prosecution that Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, individually or in concert with each other, Johnny

Paul Koroma, Foday Saybana Sankoh, Sam Bockarie, Issa Hassan Sesay, Morris Kallon, Augustine Gbao and/or other superiors in the AFRC, Junta and AFRC/RUF forces, exercised authority, command and control over all subordinate members of the RUF, Junta and AFRC/RUF forces (refer paragraph 31 indictment filed 5 February 2004).

7. It is also the prosecution theory of the case that at all times relevant to the indictment and in relation to all acts and omissions charged in the indictment Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, through their association with the RUF acted in concert with Charles Ghankay Taylor (refer paragraph 32 indictment).
8. The prosecution alleges that the RUF and the AFRC shared a joint criminal enterprise which was to take any actions necessary to gain and exercise political power and control over the territory of Sierra Leone, in particular the diamond mining areas (refer paragraphs 33 and 34 indictment).
9. It is the case for the prosecution that, in addition to the modes of liability expressly referred to in Article 6.1, each of the accused is criminally responsible because of their position and the form of their participation in the joint criminal enterprise. It should be noted that often a single act imputes liability both via an express mode under article 6.1 and also as a form of participation in the joint criminal enterprise. The modes of participation for each accused in the joint criminal enterprise include:
 - a. The use of radio communications to coordinate troop and supply movements, and offer status reports;
 - b. Attendance and participation in AFRC/RUF leadership meetings;
 - c. The coordination or direction of various AFRC/RUF troop movements;
 - d. The coordination or direction of various AFRC/RUF weapons and supply distribution;
 - e. The organization of AFRC/RUF recruitment and training;

- f. The organization of financial and resource support from outside Sierra Leone;
 - g. The organization of diamond mining; and
 - h. Any action of an accused which furthered the joint criminal enterprise.
10. Accordingly, the prosecution theory of the case is that each accused is criminally responsible for the acts and omissions of each of the other accused and of the accused alleged to be members of the RUF.
11. In the case analysis against each of the accused that follows, some of the evidence arising from witness testimony has been identified by count and District. It is the case for the prosecution that this evidence is corroborated by the evidence contained within documents referred to in Annex B, particularly items 127-140 and 151-180. Reference to these documents and the corroborative and further evidence contained therein has not been repeated in the analysis of the counts by District. However, the Prosecution expressly relies upon this material as part of its case. It likewise should be noted that Annex A does not contain the names of expert or overview witnesses that the prosecution intends to call in support of its case. It is respectfully suggested that the required procedures as they regard these witnesses will be followed when arrangements for their appearances have been finalized and in all instances in accord with Rule 94 *bis* Rules of Procedure and Evidence.

(b) ALEX TAMBA BRIMA

General

12. Throughout the relevant period Alex Tamba Brima was a senior member of the AFRC, Junta and AFRC/RUF forces (refer paragraphs 22 to 24 inclusive indictment filed 05.02.04).
13. It is the prosecution theory of the case that in relation to each count on the indictment Alex Tamba Brima is guilty pursuant to Article 6.1 of the Statute

for crimes which he planned, instigated, ordered, committed or in whose planning, preparation or execution he otherwise aided and abetted, or which were within a joint criminal enterprise in which he participated and/or were a reasonably foreseeable consequence of the joint criminal enterprise in which he participated (refer paragraph 35 indictment). And, or alternatively, the prosecution submits that Alex Tamba Brima is guilty pursuant to Article 6.3 of the Statute of the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and he failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof (refer paragraph 36 indictment).

Count 1: Terrorizing the Civilian Population

14. It is the prosecution theory of the case that the crimes alleged in counts 3 to 13 inclusive were done as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone and did terrorize that population (refer paragraph 41 indictment).
15. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Alex Tamba Brima and count 1.

Count 2: Collective Punishments

16. It is the prosecution theory of the case that at various locations throughout Sierra Leone during the period covered by the indictment, the AFRC/RUF engaged in the crimes charged in counts 3 to 13 to punish the civilian population for allegedly supporting the elected government of President Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF (refer paragraph 41 indictment.)

17. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Alex Tamba Brima and count 2, particularly:
- a. The amputation of limbs by members of the AFRC/RUF in Freetown, Bombali, Kono and Koinadugu Districts where the civilian victims were told to “go to Kabbah” for new hands;
 - b. The crimes committed during attacks on Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina in Bombali District carried out in a single day because it was believed that the inhabitants belonged to the Mandingo ethnic group, the same ethnic group as President Kabbah;
 - c. The crimes committed during attacks in various villages in Kenema, Bo and Kailahun Districts where it was perceived that the civilians were supporting and/or harbouring the CDF/Kamajors; and
 - d. The burning of civilian property performed as part of the attacks on many villages throughout the various Districts of Sierra Leone.

Counts 3 – 5: Unlawful Killings

18. It is the prosecution theory of the case that victims were routinely shot, hacked to death and burned to death (refer paragraph 42 indictment).

BO DISTRICT

19. In June 1997 AFRC/RUF forces attacked five villages in Bo District: Sembehun, Tikonko, Mamboma, Gerihun and Telu. An unknown number of civilians were killed (refer paragraph 43 indictment).
20. The evidence will demonstrate *inter alia* that:
- a. Sam Bockarie led the attack against Sembehun where at least 8 civilians were killed by soldiers who described themselves as the People’s Army;
 - b. Sam Bockarie participated in the attack on Tikonko where SLA soldiers dressed in combat uniform killed at least 19 civilians;
 - c. SLA soldiers killed at least 3 civilians during the attack on Mamboma;

- d. SLA/Junta forces killed at least 5 civilians during the attack on Gerihun; and
- e. Sam Bockarie was present in Telu and gave orders to his soldiers before the attack in which several civilians were killed by RUF/SLA soliders.

Article 6.1 responsibility

21. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
 - a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. That after the AFRC/RUF came to power in May 1997 the AFRC/RUF warned civilians that they would not tolerate the harbouring of Kamajors;
 - c. That Bo District was under control of the CDF/Kamajors for large periods of the conflict;
 - d. That the Kamajors were present in Bo District during June 1997;
 - e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
 - f. That Sam Bockarie was heard to say that the Kamajor base in Telu must be destroyed;
 - g. That during the Junta period Morris Kallon was present in Bo District, including at the AFRC/RUF base at Koribondu, and reported directly to Sam Bockarie;
 - h. That prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko;
 - i. That the civilians killed were not Kamajors;
 - j. That the civilians killed included the Paramount Chief of Bo District; and

- k. Any matters arising from the evidence disclosed.
22. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. The fact that he was a member of the group which staged the coup and ousted the government of President Kabbah;
 - b. His position as a Public Liaison Officer (PLO) within the AFRC and member of the Junta governing body;
 - c. The fact that he was in charge of diamond mining for the AFRC/RUF during the Junta period; and
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
23. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

24. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
25. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. The announced AFRC position with respect to the harbouring of Kamajors;

- b. His position of authority within the AFRC/RUF Junta and the fact that his subordinates engaged in the killing of civilians;
 - c. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. The presence of Bockarie, the RUF Battlefield Commander, and troops in Bo District during June 1997; and
 - f. Any matters arising from the evidence disclosed.
26. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KENEMA DISTRICT

27. Between 25 May 1997 and about 19 February 1998 an unknown number of civilians were killed in Kenema District (refer paragraph 44 indictment).
28. The evidence will demonstrate *inter alia* that:
- a. On the order of Sam Bockarie one civilian was beaten to death with strips of a rubber tyre;
 - b. At least 5 civilians, alleged to be CDF/Kamajor supporters, were tortured and killed;
 - c. Civilians were killed for allegedly stealing from other civilians;
 - d. Civilians were killed on a main street in Kenema Town by indiscriminate firing by AFRC/RUF forces; and
 - e. Many civilians were shot while mining diamonds for the AFRC/RUF in Cyborg Pit.

Article 6.1 responsibility

29. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The announcement of AFRC/RUF area leaders at a community meeting in Kenema that the civilians were to accept the AFRC/RUF government and that this government would “close the eyes forever” of anyone who did not cooperate;
 - c. That between May 1997 and February 1998 there was fighting between the AFRC/RUF and Kamajor forces in Kenema District;
 - d. That a number of the civilians tortured and killed in Kenema District, including B S Massaquoi, were prominent in the community and were perceived by the AFRC/RUF to support the Kamjors;
 - e. That civilians were killed on a main street in Kenema Town when AFRC/RUF forces fired indiscriminately in retaliation for a previous CDF/Kamajor attack on an AFRC/RUF camp;
 - f. The regular visits of high level AFRC/RUF commanders to Tongo Field / Cyborg mining sites; and
 - g. Any matters arising from the evidence disclosed.
30. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. The fact that he was a member of the group which staged the coup and ousted the government of President Kabbah;

- b. His position as a Public Liaison Officer (PLO) within the AFRC and member of the Junta governing body;
 - c. The fact that he was in charge of diamond mining for the AFRC/RUF during the Junta period; and
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
31. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

32. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
33. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.

34. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KONO DISTRICT

35. Between about 14 February 1998 and 30 June 1998 following their flight from Freetown the AFRC/RUF killed several hundred civilians in various locations in Kono District (refer paragraph 45 indictment).
36. The evidence will demonstrate *inter alia* that:
- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing”;
 - b. Over 100 civilians were killed in Koidu Town;
 - c. Tombodu became known as a “killing zone” where dead bodies were thrown into a hole known as “Savage Pit”;
 - d. Many civilians were beheaded in Foindu and the severed heads carried were carried in a bag to Tombodu;
 - e. 32 people were shot in a house in Mortema;
 - f. Many civilians were burned alive in houses throughout the District; and
 - g. Many civilians were killed through indiscriminate shooting in the diamond mines.

Article 6.1 responsibility

37. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The declaration of ownership of all mining areas in Sierra Leone by the AFRC/RUF during the Junta period;
 - c. The continuation of the AFRC/RUF alliance after the February 1998 ECOMOG intervention and the flight of the AFRC/RUF from Freetown;
 - d. The AFRC/RUF announcement in 1998 of “Operation No Living Thing”;
 - e. The announcement by the AFRC/RUF leadership of “Operation Pay Yourself” during the retreat to Makeni and then Koidu;
 - f. The settlement of AFRC/RUF forces in Kono District and specifically Koidu Town in 1998;
 - g. The meetings of senior AFRC/RUF commanders in Kono District during this period which established a command structure for AFRC/RUF operations;
 - h. That Issa Hassan Sesay told civilians at a public meeting in Koidu that he was present to ensure that diamonds were mined to finance the movement and that all civilians must cooperate;
 - i. That at the same meeting Issa Hassan Sesay said that disciplinary measures would be taken against those working in the mines and the measures included execution;
 - j. That the AFRC/RUF used diamonds mined from Kono District to fund arms, ammunition and medicine; and
 - k. Any matters arising from the evidence disclosed.
38. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;

- b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
- c. The general instruction issued by Bockarie to Issa Hassan Sesay at the time of the February 1998 ECOMOG intervention to ensure that the AFRC/RUF did not lose Kono;
- d. The fact that Issa Hassan Sesay passed this instruction to other AFRC/RUF commanders;
- e. The arrival of Alex Tamba Brima, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
- f. A meeting in Tombudu Town following the arrival of Johnny Paul Koroma at which all civilians were forced to attend and where four civilian men and two civilian women who attempted to flee were brought to Koroma by Alex Tamba Brima and were killed by armed AFRC/RUF men in front of the crowd;
- g. Meetings between senior AFRC/RUF commanders in Kono in February/March 1998 at which Alex Tamba Brima was present;
- h. The fact that the senior AFRC/RUF commanders in Kono were in regular contact with Bockarie in Kailahun;
- i. The fact that the AFRC/RUF base in Kono was to be used as a “blocking force” against ECOMOG in order to maintain control of the Kono district;
- j. The fact that Johnny Paul Koroma told other AFRC/RUF commanders that the people of Koidu were not good people and that any civilian close to their location should be killed;
- k. The fact that Alex Tamba Brima led a force of AFRC/RUF troops from Koidu to Koinadugu, telling them beforehand that they were to take revenge on the civilian population for failing to support the AFRC/RUF and for supporting Kabbah, and ordering that any civilian not abducted should be killed; and
- l. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

39. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

40. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
41. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - e. His presence and participation at planning meetings in the District as described above;
 - f. The orders given by him to the AFRC/RUF troops he led from Koidu towards Koinadugu to kill any civilian not abducted; and
 - g. Any matters arising from the evidence disclosed.

42. It is further the prosecution theory of the case that it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:
- a. The matters referred to above; and
 - b. The fact that he was informed about the killings in Tombudu and took no action.

KAILAHUN DISTRICT

43. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Kailahun District (refer paragraph 46 indictment).
44. The evidence will demonstrate *inter alia*:
- a. That there was a mass killing of people accused of being Kamajors in Kailahun Town;
 - b. The killing of 10 civilians in Buedu; and
 - c. The shooting of 2 abducted boys because they were unable to carry loads.

Article 6.1 responsibility

45. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. Meetings of senior AFRC/RUF commanders in Kailahun District following the 1998 ECOMOG intervention which established command structures and gave military responsibility to Bockarie;

- c. The fact that the following the ECOMOG intervention the main AFRC/RUF base was located in Kailahun which was the main point of contact and communication for the AFRC/RUF especially for allies in Liberia;
 - d. The mass killing in Kailahun Town of people accused of being Kamajors; and
 - e. Any matters arising from the evidence disclosed.
46. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
47. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

48. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
49. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.
50. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KOINADUGU DISTRICT

51. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Koinadugu District (refer paragraph 47 indictment).
52. The evidence will demonstrate *inter alia* that:
- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing”;
 - b. There was widespread killing of civilians from indiscriminate firing upon AFRC/RUF forces entering villages and towns within the District;
 - c. In Katombo II 2 policemen were killed, gutted and their intestines pulled across a road as a checkpoint; and
 - d. In various villages civilians were burned to death after being locked in houses, including 48 people in one house in Koinadugu Town and 41 people in one house in Yifin.

Article 6.1 responsibility

53. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
 - d. The 1998 declaration of “Operation No Living Thing” by the AFRC/RUF;
 - e. The killing of babies belonging to abducted mothers because their crying was thought to reveal AFRC/RUF locations; and
 - f. Any matters arising from the evidence disclosed.
54. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of command and authority within the AFRC/RUF hierarchy;
 - b. The fact that Alex Tamba Brima was Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that Alex Tamba Brima took part in the attack on Kabala;
 - d. The fact that Alex Tamba Brima supported by Brima Bazzy Kamara led attacks on the town of Yiffin where civilians were shot, placed in a house and burnt alive;

- e. The fact that Alex Tamba Brima gave orders to his subordinates to kill civilians in Koinadugu Town; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

55. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

56. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

57. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
- e. Any matters arising from the evidence disclosed.

58. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

BOMBALI DISTRICT

59. Between 1 May 1998 and 30 November 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Bombali District (refer paragraph 48 indictment).
60. The evidence will demonstrate *inter alia* that:
- a. Civilians were killed with machetes during attacks on Karina and Bonyoyo;
 - b. The throats of a mother and son were cut in Daraya village;
 - c. A suckling mother was abducted and killed from Daraya village;
 - d. Eleven civilians were shot in Gbendubu Town;
 - e. A pregnant woman had her stomach slit open; and
 - f. Civilians were killed during attacks on Kamakwie Town.

Article 6.1 responsibility

61. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base at Rosos (or Rosors or Rossos) where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were present;

- c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle Group in Rosos and Bockarie in Kailahun;
 - d. That Bockarie sent troops to Alex Tamba Brima in Rosos;
 - e. The AFRC/RUF belief that Karina was the home of President Kabbah;
 - f. The AFRC/RUF belief that the villagers of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina belonged to the same ethnic grouping – Mandingo – as President Kabbah;
 - g. The order of Alex Tamba Brima that the AFRC/RUF should make its mark on Karina and that no one should be spared;
 - h. That the villages of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina were attacked in a single day and many civilians were killed, including about 8 civilians in Karina who were burned alive in a house;
 - i. The ordering of “Operation Fearful the Area” by Alex Tamba Brima;
 - j. The ordering of human sacrifices by Alex Tamba Brima;
 - k. The order of Alex Tamba Brima that all civilians should be killed in Batmis;
 - l. That after civilians had been killed in Gbendembu (or Gebendubu or Pendembu) Alex Tamba Brima ordered that an audio cassette be given to an amputated man and then sent to Makeni to warn civilians to rise up against ECOMOG, and that any failure to cooperate would result in the people of Makeni meeting the same fate as those of Gbendembu; and
 - m. Any matters arising from the evidence disclosed.
62. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - c. His communication with Bockarie in Kailahun;

- d. The order of Alex Tamba Brima that the AFRC/RUF should make its mark on Karina and that no one should be spared;
 - e. The fact that Alex Tamba Brima participated in the attack against the villages of Mayombo, Bonoyo, Daraya and Karina;
 - f. His participation in the shooting in the attack on Karina;
 - g. The ordering of “Operation Fearful the Area” by Alex Tamba Brima;
 - h. The ordering of human sacrifices by Alex Tamba Brima;
 - i. The order of Alex Tamba Brima that all civilians should be killed in Batmis;
 - j. That after civilians had been killed in Gbendembu (or Gebendubu or Pendembu) Alex Tamba Brima ordered that an audio cassette be given to an amputated man and then sent to Makeni to warn civilians to rise up against ECOMOG, and that any failure to cooperate would result in the people of Makeni meeting the same fate as those of Gbendembu; and
 - k. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
63. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

64. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
65. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - e. His position as commander of attacking troops;
 - f. The AFRC/RUF policy of punishing civilians for alleged support of President Kabbah; and
 - g. Any matters arising from the evidence disclosed.
66. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

67. Between 6 January 1999 and 28 February 1999 the AFRC/RUF killed an unknown number of civilians during armed attacks on the city of Freetown and the Western Area (refer paragraph 49 indictment).
68. The evidence will demonstrate *inter alia* that between 3000 and 5000 civilians were killed, including:
- a. 70 people in a mosque in Kissi;
 - b. The burning alive of civilians in houses;
 - c. The execution of civilians on the streets;
 - d. Deaths arising from large scale amputations;

- e. The killing of 15 babies in front of their mothers on the retreat from Freetown.

Article 6.1 responsibility

- 69. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
 - a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
 - c. The purchase by Bockarie of arms and ammunitions for the Freetown offensive with diamonds in late 1998;
 - d. That commanders of AFRC/RUF groups or units operating in Freetown were ordered to kill people, including by burning them alive;
 - e. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - f. That specific orders were given to the AFRC/RUF by Alex Tamba Brima to kill civilians who were SLPP collaborators, police officers or surrendering soldiers;
 - g. The instruction given by Alex Tamba Brima to kill civilians and burn houses in an "Operation No Living Thing" once the AFRC/RUF lost Statehouse to ECOMOG; and
 - h. Any matters arising from the evidence disclosed.
- 70. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and

abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position as commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. His participation in a meeting in Waterloo with Issa Hassan Sesay, Brima Bazzy Kamara and Morris Kallon as a result of which the AFRC/RUF forces regrouped and attacked Hastings and Tombu in the Western Area;
- d. The fact that prior to and during the Freetown invasion Alex Tamba Brima maintained radio contact with other AFRC/RUF commanders, including Issa Hassan Sessay and Sam Bockarie;
- e. That during the occupation of Freetown by AFRC/RUF forces Alex Tamba Brima requested troop reinforcement from Sam Bockarie;
- f. That before entering Freetown Alex Tamba Brima gave several orders to the AFRC/RUF forces to kill civilians who were SLPP collaborators, police officers or surrendering soldiers;
- g. That before entering Freetown Alex Tamba Brima gave orders to the AFRC/RUF forces to burn all the police stations in Freetown and break open the Pademba Road Prison;
- h. That while in Freetown Alex Tamba Brima issued an order to burn the city after receiving a radio instruction from Bockarie to do so;
- i. That during the invasion Alex Tamba Brima told the AFRC/RUF forces that the civilians were provoking them and ordered that they should kill civilians;
- j. That the order of Alex Tamba Brima to kill civilians included an "Operation No Living Thing" after the AFRC/RUF lost control of Statehouse, an order to kill 5 Catholic nuns captured in the Ferry Junction area and to burn people alive inside a church near east end police station;

- k. That Alex Tamba Brima was present when many of his subordinates committed killings;
 - l. That Alex Tamba Brima killed a number of civilians; and
 - m. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
71. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

72. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
73. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. His position as commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- e. The desire of the AFRC/RUF to punish the civilian population of Freetown for the perceived support of President Kabbah and ECOMOG;
- f. Any matters arising from the evidence disclosed.

74. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

PORT LOKO

75. Between February 1999 and April 1999 the AFRC/RUF as they fled from Freetown killed an unknown number of civilians in Port Loko District (refer paragraph 50 indictment).

76. The evidence will demonstrate *inter alia* that:
- a. Civilians were killed in Waterloo, Masiaka, Tendakum and Manaarma;
 - b. Over 40 civilians were killed in Tendakum, many by being hacked to death; and
 - c. Over 70 people were burned alive in a house in Manaarma;

Article 6.1 responsibility

77. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. That the killings occurred as the AFRC/RUF engaged in an organized retreat from Freetown towards Masiaka;

- c. That Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, the senior commanders involved in the retreat, were in radio communication between senior RUF commanders, including Issa Hassan Sesay in Makeni and Sam Bockarie in Kailahun;
 - d. That Brima Bazzy Kamara held meetings in which he ordered the killing of civilians;
 - e. That even when the AFRC/RUF group reached Masiaka and split into 2 areas centred on Occra Hills and Lunsar, the groups stayed in communication with each other;
 - f. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - g. The scale of the killings in the attacks on the villages in Port Loko District, including in Tendakum where about 40 villagers were hacked to death and in Manaarma where 73 people were burned alive in a house;
 - h. The fact that those not killed in these villages were told to go to Kabbah and tell him what had happened; and
 - i. Any matters arising from the evidence disclosed.
78. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - c. The radio communication between him and other senior AFRC/RUF commanders;
 - d. The fact that he along with Morris Kallon and others attacked villages surrounding Port Loko;

- e. His presence in Lunsar where he played football with Superman, and other commanders;
 - f. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown; and
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
79. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

80. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
81. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- d. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - e. His presence at the camp of Superman in Lunsar;
 - f. His radio communications with Bockarie and Issa Hassan Sesay; and
 - g. Any matters arising from the evidence disclosed.
82. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

Counts 6 – 8: Sexual Violence

83. It is the prosecution theory of the case that the AFRC/RUF committed widespread sexual violence against civilian women and girls (refer paragraph 51 indictment).

KONO DISTRICT

84. Between 14 February 1998 and 30 June 1998 members of the AFRC/RUF raped hundreds of women and girls at various locations in Kono District and abducted an unknown number of women and girls from various locations in Kono District and used them as sex slaves (refer paragraph 52 indictment).
85. The evidence will demonstrate *inter alia*:
- a. The gang rape of women in Koidu Town;
 - b. The rape of a woman in Koidu Town 23 days after she had given birth;
 - c. The widespread use of captured girls as “wives”;
 - d. The rape of 7 women at Sawa;
 - e. The rape of women and girls found hiding in the bush in the District; and
 - f. The rampant sexual abuse of women and girls at Cyborg Mining Pit.

Article 6.1 responsibility

86. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The presence of military training camps in Kono District, such as “Superman Camp” and Kissi-town (or Kissi Town) camp where large numbers of AFRC/RUF forces were present; and
 - c. Any matters arising from the evidence disclosed.
87. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - c. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - d. His arrival along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - e. His frequent presence in Kono District, including at military training camps, between February and September 1998;

- f. That Alex Tamba Brima and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu; and
- g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

88. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

89. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
90. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration and the fact that his subordinates engaged in sexual violence;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His presence at planning meetings in the District as detailed above;
 - e. His frequent presence in Kono District, including at military training camps, between February and September 1998;

- f. That he was informed about gang rapes that occurred in Tombudu; and
- g. Any matters arising from the evidence disclosed.

91. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:
- a. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - b. That he was informed about gang rapes that took place in Tombudu and took no action.

KOINADUGU DISTRICT

92. Between 14 February 1998 and 30 September 1998 members of the AFRC/RUF raped an unknown number of women and girls in various locations in Koindadgu District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 53 indictment).
93. The evidence will demonstrate *inter alia*:
- a. The rape and gang rape of women at various villages throughout the District;
 - b. The gang rape of one woman in Kabala that resulted in her death;
 - c. The forced marriage of about 50 girls abducted from Katombo; and
 - d. The sexual slavery of many women and girls in the area around Kurubonla.

Article 6.1 responsibility

94. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Koinadugu District, or the aiding and abetting thereof, or that

resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
- c. The physical violence that routinely accompanied sexual violence, such as amputations, stabbings, beatings, threats of death and the insertion of sticks or other foreign objects into vaginas;
- d. The ordering of young boys forcibly conscripted to the AFRC/RUF to carry out rapes, including the rapes of older women;
- e. The targeting of pregnant women, suckling mothers and virgins for sexual attack;
- f. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
- g. Any matters arising from the evidence disclosed.

95. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that Alex Tamba Brima was Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;

- c. The fact that from Koinadugu AFRC/RUF forces led by Alex Tamba Brima and supported by Brima Bazzy Kamara attacked the town of Yiffin where civilians were raped; and
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
96. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

97. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
98. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;

- e. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
 - f. Any matters arising from the evidence disclosed.
99. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

BOMBALI DISTRICT

100. Between 1 May 1998 and 31 November 1998 members of the AFRC/RUF raped an unknown number of women and girls at various locations in Bombali District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 54 indictment).
101. The evidence will demonstrate *inter alia*:
- a. The rape of women captured from Mandaha;
 - b. The public raping of young suckling mothers in Batmis;
 - c. The gang rape of women and girls in Rosos;
 - d. The abduction of women from Karina, who were stripped and tied together, taken to Rosos and made to “marry” rebels; and
 - e. The gang rape of a 15 or 16 year old suckling mother in Makeni.

Article 6.1 responsibility

102. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos; and
 - c. Any matters arising from the evidence disclosed.
103. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred;
 - c. His presence as commander during the attack on Karina, during which the AFRC/RUF abducted women and took them as “wives”;
 - d. His presence as commander in Mandaha immediately following the attack on Karina where women abducted from elsewhere were raped by the AFRC/RUF forces;
 - e. His communication with Bockarie in Kailahun;
 - f. Any other matter arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
104. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

105. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

106. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
 - a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - e. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred;
 - f. His presence during the various attacks throughout Bombali District where acts of sexual violence were committed; and
 - g. Any matters arising from the evidence disclosed.

107. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent sexual violence or to punish the perpetrators thereof.

KAILAHUN DISTRICT

108. At all times relevant to the indictment an unknown number of women and girls were subjected to sexual violence at various locations in Kailahun District. Many such women and girls were captured in other areas of Sierra Leone and brought to AFRC/RUF camps in Kailahun District and used as sex slaves (refer paragraph 55 indictment).
109. The evidence will demonstrate *inter alia*:
- a. The use of women as “wives” by the rebels in Beudu.

Article 6.1 responsibility

110. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The fact that many of the women and girls used as sex slaves were brought to Kailahun District from other parts of Sierra Leone;
 - c. The presence of training camps and the AFRC/RUF High Command in Kailahun District where large numbers of AFRC/RUF forces were present; and
 - d. Any matters arising from the evidence disclosed.
111. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His frequent presence in Kailahun District throughout the period of the indictment; and
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
112. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

113. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
114. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.

115. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

116. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF raped hundreds of women and girls throughout the city of Freetown and the Western Area and abducted hundreds of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 56 indictment).
117. The evidence will demonstrate *inter alia*:
- a. The rape of hundreds of women and girls captured in Freetown;
 - b. The “marriage” to rebels of hundreds of women and girls who were abducted by the retreating AFRC/RUF forces; and
 - c. The gang rape of many girls and women at Benguima.

Article 6.1 responsibility

118. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The fact that women and girls were taken to Statehouse, the headquarters of the AFRC/RUF during the Freetown invasion, where they were

- subjected to rape and other forms of sexual violence in the presence of the senior AFRC/RUF commanders;
- c. That on the retreat from Freetown hundreds of women and girls were abducted, forced to accompany the AFRC/RUF forces and raped; and
 - d. Any matters arising from the evidence disclosed.
119. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. The order of Alex Tamba Brima to the retreating AFRC/RUF forces that civilians should be abducted;
 - d. That Alex Tamba Brima was present when his subordinates engaged in acts of sexual violence;
 - e. That Alex Tamba Brima engaged in acts of sexual violence; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
120. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

121. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the

AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

122. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
 - a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - e. The order of Alex Tamba Brima to the retreating AFRC/RUF forces that civilians should be abducted; and
 - f. Any matters arising from the evidence disclosed.

123. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

PORT LOKO DISTRICT

124. Between February 1999 and April 1999 an unknown number of women and girls were subjected to sexual violence at various locations in the Port Loko District by members of the AFRC/RUF as the AFRC/RUF fled from Freetown (refer paragraph 57 indictment).

125. The evidence will demonstrate *inter alia*:
- a. The rape of many women in Tendakum by rebels in “booths”;
 - b. The rape of 4 women abducted from Malabe village;
 - c. The rape of one woman by Santigie Borbor Kanu; and
 - d. The forced marriage of abducted women.

Article 6.1 responsibility

126. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. That hundreds of girls and women were abducted from Freetown and forced to accompany the retreating AFRC/RUF forces into and were subjected to sexual violence Port Loko District;
 - c. That more women and girls from Port Loko District were subjected to organized sexual violence, including in Tendakum where the AFRC/RUF rebels created a list of captured civilians following which they were told to take whatever women they wanted for “wives”;
 - d. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - e. That while in Masiaka Santigie Borbor had three “wives” from amongst the abducted women and girls;

- f. That women subjected to sexual slavery were present at the AFRC/RUF camp at Lunsar where senior AFRC/RUF commanders, including Superman, were based; and
 - g. Any matters arising from the evidence disclosed.
127. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - c. His radio communications with Bockarie and Issa Hassan Sesay;
 - d. His presence at the camp of Superman in Lunsar;
 - e. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
128. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

129. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

130. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His radio communications with Bockarie and Issa Hassan Sesay;
 - d. The fact that complaints of rape were made to Issa Hassan Sesay by girls in Masiaka and his response was that the men were the “husbands” of the girls;
 - e. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - f. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces; and
 - g. Any matters arising from the evidence disclosed.
131. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof because, *inter alia*:
- a. The matters referred to above; and
 - b. The fact that his answer to women complaining of being raped by soldiers was that the men were their “husbands”;

Counts 9 – 10: Physical Violence

132. It is the prosecution theory of the case that physical violence, including mutilations, were committed by the AFRC/RUF against civilians (refer paragraph 58 indictment).

KONO DISTRICT

133. Between 14 February 1998 and 30 June 1998 the AFRC/RUF mutilated an unknown number of civilians in various locations in Kono District. The mutilations included cutting off limbs and carving “AFRC” and “RUF” on the bodies of civilians (refer paragraph 59 indictment).

134. The evidence will demonstrate *inter alia*:
- a. The amputation of many civilians throughout Kono District, including the amputation of 6 men captured from Sawa which was observed by captured women forced to clap and laugh by the AFRC/RUF soldiers;
 - b. The marking of 15 captives in Yomandu by sword blades with “RUF” and “AFRC”; and
 - c. The marking by razor blade of 10 to 15 civilians with “RUF” who had attempted to escape in Tombodu.

Article 6.1 responsibility

135. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;

- b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. The large numbers of abducted civilians in Kono District, both at military camps and diamond mines;
 - d. The instruction of Alex Tamba Brima to AFRC/RUF troops prior to an advance towards Koinadugu that they were going to take revenge on the civilian population because the civilians had betrayed them; and
 - e. Any matters arising from the evidence disclosed.
136. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - c. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - d. His arrival along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - e. His presence at the military training camps in Kono District during this period;
 - f. His instruction to the AFRC/RUF troops that they were to take revenge upon the civilians who had betrayed them; and
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

137. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

138. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
139. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. His frequent presence in Kono District between February and September 1998;
 - f. His presence at planning meetings in the District as detailed above;
 - g. His instruction to the AFRC/RUF troops that they were to take revenge upon the civilians who had betrayed them;

- h. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - i. Any matters arising from the evidence disclosed.
140. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KENEMA DISTRICT

141. Between 25 May 1997 and 19 February 1998 AFRC/RUF members carried out beatings and ill-treatment of civilians in custody in various locations in Kenema District (refer paragraph 60 indictment).
142. The evidence will demonstrate *inter alia*:
- a. The torture of civilian captives in Kenema Town carried out on the order of Sam Bockarie; and
 - b. The beating and physical punishment of civilians at Cyborg Mining Pit.

Article 6.1 responsibility

143. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. That the beatings and ill-treatment of civilians in custody were carried out on the orders of Bockarie, the then de facto leader of the RUF, and

targeted at civilians perceived to be a threat to the AFRC/RUF government; and

c. Any matters arising from the evidence disclosed.

144. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

145. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

146. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

147. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;

- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

148. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KOINADUGU DISTRICT

149. Between about 14 February 1998 and 30 September 1998 members of the AFRC/RUF mutilated an unknown number of civilians at various locations in Koinadugu District. The mutilations included cutting off limbs and carving “AFRC” on the chests and foreheads of the civilians (refer paragraph 61 indictment).

150. The evidence will demonstrate *inter alia*:
- a. Civilians were amputated at various locations in the District, a number of whom were given a letter and told to “go to Kabbah”;
 - b. The amputation of a 6 year old girl in Koneibaia; and
 - c. The marking of “RUF” by razor blade on the forehead of 3 men in Koneibaia.

Article 6.1 responsibility

151. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu district throughout 1998;
 - d. The fact that civilians amputated by AFRC/RUF forces were given letters to take to President Kabbah and/or told to go to Kabbah to ask for their limb back;
 - e. That hundreds of children underwent military training at Koinadugu Town and Serekolia, many of whom were given “AFRC” and/or “RUF” markings; and
 - f. Any matters arising from the evidence disclosed.
152. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that Alex Tamba Brima was Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

153. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

154. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
155. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - b. The fact that Alex Tamba Brima was Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - e. Any matters arising from the evidence disclosed.
156. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

BOMBALI DISTRICT

157. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Bombali District. The mutilations included cutting off limbs (refer paragraph 62 indictment).
158. The evidence will demonstrate *inter alia*:
- a. The amputation of civilians in Lohindi village;
 - b. The beating of a civilian with a rubber “Cobra” in Makeni;
 - c. The amputation of 4 men near Batkanu village;
 - d. The double amputation of a woman in Batmis on the order of Bockarie as punishment for the escape of other civilians;
 - e. The double amputation of 2 men in the bush between Makeni and Mateboi; and
 - f. The amputation of 7 men in Karina village.

Article 6.1 responsibility

159. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. That many civilians in Karina, the home of President Kabbah, has their limbs cut off;
 - c. That at least one of the civilians amputated in Lohondi was told to go to Tejan Kabbah who would give him a new hand;

- d. That at least two civilians amputated in Mateboi were told to tell ECOMOG and Kabbah that the AFRC/RUF were coming and to give them hands;
 - e. That the AFRC/RUF attacked the Batkuna and Sanda areas where the hands of civilians were amputated;
 - f. That a man who had been amputated by the AFRC/RUF forces in Gbendembu (or Gbendubu or Pendembu) was, on the order of Alex Tamba Brima, given an audio cassette and told to take it to Makeni to give a warning to civilians there to rise up against ECOMOG and that any failure to cooperate with the AFRC/RUF would result in the same fate for the people of Makeni as those of Gbendembu; and
 - g. Any matters arising from the evidence disclosed.
160. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - d. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - e. His presence as a commander during the attacks on Mayombo, Bonoyo, Daraya, Karina, Mandaha and Gbendembu;
 - f. His launching of “Operation Fearful the Area” which included systematic amputations;
 - g. His order that the AFRC/RUF would make its mark on Karina;
 - h. His order that a man who had been amputated by the AFRC/RUF forces in Gbendembu (or Gbendubu or Pendembu) be given an audio cassette and

told to take it to Makeni to give a warning to civilians there to rise up against ECOMOG and that any failure to cooperate with the AFRC/RUF would result in the same fate for the people of Makeni as those of Gbendembu; and

- i. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

- 161. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

- 162. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
- 163. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
 - a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - c. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- e. His presence as a commander during the attacks on Mayombo, Bonoyo, Daraya, Karina, Mandaha and Gbendembu;
- f. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
- g. Any matters arising from the evidence disclosed.

164. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

165. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various areas of the city of Freetown and the Western Area. The mutilations included cutting of limbs (refer paragraph 63 indictment).
166. The evidence will demonstrate *inter alia*:
- a. That the AFRC/RUF executed “Operation Cut Hand” and “Operation Cut Limbs” whilst in Freetown;
 - b. The amputation of hundreds of civilians, often in groups, on the streets of Freetown, such as a group of 10 men amputated at a rebel base on Fararama Street; and
 - c. That on the retreat from Freetown at Kambia a pregnant woman was cut with a pair of scissors between her anus and vagina after she began bleeding black and the AFRC/RUF rebels began arguing whether her fetus was a boy or a girl.

Article 6.1 responsibility

167. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in

Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
- b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
- c. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
- d. That AFRC/RUF forces operating in Freetown were ordered by Alex Tamba Brima to amputate the hands that people used to vote for President Kabbah; and
- e. Any matters arising from the evidence disclosed.

168. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. His radio communications with Bockarie and Issa Hassan Sesay during the Freetown occupation;
- d. The order of Alex Tamba Brima to the AFRC/RUF forces to amputate the hands of civilians that they had used to vote for President Kabbah; and

- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

169. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

170. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

171. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- e. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown;
- f. The AFRC/RUF policy to punish civilians for their support of President Kabbah;

- g. The order of Alex Tamba Brima to the AFRC/RUF forces to amputate the hands of civilians that they had used to vote for President Kabbah; and
- h. Any matters arising from the evidence disclosed.

172. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

PORT LOKO

173. Between February 1999 and April 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Port Loko District. The mutilations included cutting off limbs (refer paragraph 64 indictment).
174. The evidence will demonstrate *inter alia* that:
- a. Civilians were amputated in Manaarma;
 - b. “RUF” was marked on the chest of a civilian in Tendakum; and
 - c. An infant was pushed into a cooking fire in Nonkoba.

Article 6.1 responsibility

175. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;

- c. That Brima Bazzy Kamara held meetings during which he ordered AFRC/RUF forces to beat civilians who wanted to escape;
 - d. That civilians amputated in Manaarma were told to go to Kabbah and tell him what had happened and to tell the people of Port Loko that the rebels were coming; and
 - e. Any matters arising from the evidence disclosed.
176. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - c. His radio communications with Bockarie and Issa Hassan Sesay;
 - d. His presence in Lunsar where he played football with Superman, and other commanders;
 - e. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - f. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
177. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

178. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

179. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
 - a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - e. His radio communications with Bockarie and Issa Hassan Sesay;
 - f. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
 - g. Any matters arising from the evidence disclosed.

180. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

Count 11: Use of Child Soldiers

181. It is the prosecution theory of the case that at times relevant to the indictment, the AFRC/RUF routinely conscripted boys and girls under the age of 15 to participate in active hostilities (refer paragraph 65 indictment).
182. The evidence will demonstrate *inter alia* that:
- a. Thousands of children were abducted from all over Sierra Leone;
 - b. Thousands of children underwent military training at AFRC/RUF camps;
 - c. Children were formed into Small Boys Units and Small Girls Units; and
 - d. Armed Small Boys Units and Small Girls Units were used in combat.

Article 6.1 responsibility

183. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of boys and girls under the age of 15, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
 - b. The advice of Charles Taylor to Foday Sankoh that soldiers trained from childhood are very loyal;
 - c. The teaching and instruction of Foday Sankoh that even children have the right to bear arms;
 - d. The widespread abduction of children by AFRC/RUF forces;
 - e. The military camps set up to train children in the use of weaponry;
 - f. The drugging of child soldiers by the AFRC/RUF;
 - g. The widespread use of children to carry ammunition for AFRC/RUF troops during attacks;
 - h. The establishment of Small Boys Units and Small Girls Units; and
 - i. Any matters arising from the evidence disclosed.

184. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of children by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. The use of armed child soldiers in the January 1999 Freetown invasion and the fact that Small Boys were part of the AFRC/RUF force that entered and retreated from Freetown, and particularly part of his direct group;
 - d. His presence during attacks where child soldiers were used;
 - e. The establishment of a military training camp at Rosos in Bombali District where children under the age of 15 were given military training;
 - f. The training of hundreds of children at Koinadugu Town and Kerekolia who were later used in active hostilities;
 - g. The fact that Alex Tamba Brima was present at the burial of SAJ Musa along with child soldiers;
 - h. The fact that Alex Tamba Brima had his own group of child soldiers;
 - i. The fact that Alex Tamba Brima was present with the West Side boys at Occra Hills where child soldiers were also present;
 - j. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
185. It is further the case for the prosecution that the conscription of children was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

186. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the conscription of children and had effective control over the subordinates.

187. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the conscription of children was to occur can be reasonably inferred from, *inter alia*:
 - a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the conscription of children;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - e. His position as a commander at the Rosos camp in Bombali District; and
 - f. Any matters arising from the evidence disclosed.

188. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the conscription of children or to punish the perpetrators thereof.

Count 12: Abductions and Forced Labour

189. It is the prosecution theory of the case that the AFRC/RUF engaged in widespread and large scale abductions of civilians and the use of civilians as forced labour (refer paragraph 66 indictment).

KENEMA DISTRICT

190. Between 1 August 1997 and 31 January 1998 the AFRC/RUF forced an unknown number of civilians to mine for diamonds at Cyborg Pit in Tongo Field (refer paragraph 67 indictment).
191. The evidence will demonstrate *inter alia* that:
- a. An attack led by Sam Bockarie in August 1997 in Tonog field resulted in the capture of many civilians who were forced to mine without pay and under armed guard at Cyborg Pit;
 - b. The AFRC/RUF would fire randomly at Cyborg Pit to terrorize the civilians into submission; and
 - c. The civilian miners were subject to physical discipline.

Article 6.1 responsibility

192. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
 - b. The need in Kenema District to establish a workforce sufficient to mine diamonds at the Tongo diamond fields, including the Cyborg Pit;
 - c. The conditions under which civilians were used to mine diamonds, including the use of physical violence and death as punishments and that no civilians were paid for the work performed; and

- d. Any matters arising from the evidence disclosed.
193. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position in charge of diamond mining for the AFRC/RUF in Kono during the Junta period; and
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
194. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

195. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
196. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that civilians were to be used to mine diamonds can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;

- b. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
- c. His position in charge of diamond mining for the AFRC/RUF in Kono during the Junta period;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- e. Any matters arising from the evidence disclosed.

197. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KONO DISTRICT

198. Between 14 February 1998 and 30 June 1998 AFRC/RUF forces abducted hundreds of civilians and took them to various locations, both within and outside Kono District, where they were used as forced labour (refer paragraph 68 indictment).

199. The evidence will demonstrate *inter alia* that:
- a. Civilians were captured from Sulukundu and taken to Koidu Town where they were forced to perform domestic labour; and
 - b. Civilians, including children, abducted from Farandu were forced to carry looted items.

Article 6.1 responsibility

200. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need in Kono District to establish a workforce sufficient to mine diamonds;
 - c. The public meeting in Koidu where Issa Hassan Sesay told civilians that they must cooperate with the AFRC/RUF to mine diamonds for the movement;
 - d. The rules for the civilian mining workforce established by Issa Hassan Sesay which included that no one was to be paid, laziness would be punished by public flogging and anyone stealing a diamond would be executed; and
 - e. Any matters arising from the evidence disclosed.
201. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*;
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - c. The fact that Alex Tamba Brima and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu who were forced to perform, *inter alia*, domestic chores;
 - d. His presence at military camps and AFRC/RUF bases where civilians were forced to carry goods and performed domestic labour;
 - e. The fact that Alex Tamba Brima instructed AFRC/RUF troops he led on an advance towards Koinadugu that any civilian not abducted should be killed;

- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
202. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

203. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
204. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - e. The need in Kono District to establish a workforce sufficient to mine diamonds; and
 - f. Any matters arising from the evidence disclosed.

205. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KOINADUGU DISTRICT

206. Between about 14 February 1998 and 30 September 1998 at various locations in Koinadugu District members of the AFRC/RUF abducted an unknown number of civilians and used them as forced labour (refer paragraph 69 indictment).
207. The evidence will demonstrate *inter alia* that:
- a. Civilians captured near Kasimbeck village were forced to carry looted food and pound rice;
 - b. About 10 civilians were captured from Kamadugu Sokurala village; and
 - c. A number of civilians were captured from Koneibaia village and forced to carry food and other items.

Article 6.1 responsibility

208. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That large AFRC/RUF training bases established at Koinadugu Town and Serekolia used forced civilian labour;
 - c. That attacks carried out in Koinadugu District used forced civilian labour to carry goods and ammunition;

- d. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
 - e. Any matters arising from the evidence disclosed.
209. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *iner alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. The fact that Alex Tamba Brima was Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun;
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
210. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

211. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

212. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - c. The fact that Alex Tamba Brima was Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun;
 - f. Any matters arising from the evidence disclosed.
213. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

BOMBALI DISTRICT

214. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF abducted an unknown number of civilians from Bombali District and used them as forced labour (refer paragraph 70 indictment).
215. The evidence will demonstrate *inter alia* that:
- a. Civilians were abducted from Daraya Village and forced to carry goods;

- b. During the attack on Kamabai the AFRC/RUF rebels had about 100 abducted civilians with them; and
- c. Civilians captured at Malama were brought to Batmis and forced to pound rice and fetch water.

Article 6.1 responsibility

216. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That civilians were abducted during the attack on Karina and were forced to carry goods from village to village as the AFRC/RUF made its way to Rosos;
 - c. That an AFRC/RUF training camp was operated at Rosos under the command of Alex Tamba Brima and that abducted women and children were used to perform various domestic tasks for the camp including cleaning, cooking and laundry and abducted civilian men were used for pounding rice and carrying loads obtained during AFRC/RUF attacks on neighbouring villages;
 - d. That abducted civilian men and children were used on “food finding missions” from the Rosos camp;
 - e. That the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun; and
 - f. Any matters arising from the evidence disclosed.

217. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as a commander of the camp at Rosos;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - d. The fact the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun;
 - e. His presence as a commander during the various attacks throughout Bombali District when men, women and children were abducted and brought to Rosos where they were used for domestic labour and on “food finding” missions;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
218. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

219. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

220. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as a commander of the camp at Rosos;
 - e. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - f. The fact the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun;
 - g. The fact that while in Rosos, AFRC/RUF troops under the command of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu used civilian men and women whom they abducted to participate in food-finding missions;
 - h. Any matters arising from the evidence disclosed.
221. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KAILAHUN DISTRICT

222. At all times relevant to the indictment the AFRC/RUF brought civilians to various locations within Kailahun District and used them as forced labour (refer paragraph 71 indictment).
223. The evidence will demonstrate *inter alia* that:
- a. Over 200 civilians were captured in Pendembu and forced to work;
 - b. Over 500 civilians were brought to Kailahun from all over Sierra Leone; and
 - c. Civilians were forced to carry loads of ammunition and other goods, work on the rice farm of Bockarie and Morris Kallon and perform domestic labour.

Article 6.1 responsibility

224. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need in Kailahun District to establish a workforce sufficient to mine diamonds;
 - c. The fact that Kailahun District was a significant base for the AFRC/RUF and large numbers of civilians were required to perform labour for the AFRC/RUF High Command and forces; and
 - d. Any matters arising from the evidence disclosed.
225. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his

aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

226. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

227. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

228. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour were to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

229. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

230. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF abducted hundreds of civilians from various areas in Freetown and the Western Area and used them as forced labour (refer paragraph 72 indictment).
231. The evidence will demonstrate *inter alia* that:
- a. Thousands of civilians were abducted by the retreating AFRC/RUF forces and forced to carry ammunition and looted goods; and
 - b. Abducted civilians were forced to perform domestic labour at various locations on the retreat.

Article 6.1 responsibility

232. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
 - c. The scale of abductions as the AFRC/RUF retreated from Freetown;
 - d. The direct order given by Alex Tamba Brima to his subordinates as the AFRC/RUF retreated from Freetown to abduct civilians; and

- e. Any matters arising from the evidence disclosed.
233. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown;
 - d. The order given by Alex Tamba Brima to the AFRC/RUF forces to abduct civilians on the retreat from Freetown;
 - e. The use of these abducted civilians to carry loads; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
234. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

235. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

236. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - d. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown; and
 - e. Any matters arising from the evidence disclosed.
237. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

PORT LOKO

238. During February 1999 members of the AFRC/RUF used civilians, including those abducted from Freetown and the Western Area, as forced labour within Port Loko District. The AFRC/RUF forces also abducted civilians from Port Loko District and used them as forced labour (refer paragraph 73 indictment).
239. The evidence will demonstrate *inter alia* that:
- a. Captured civilians were taken to Lunsar and forced to perform domestic work.

Article 6.1 responsibility

240. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
 - c. The direct order given by Brima Bazzy Kamara to abduct civilians; and
 - d. Any matters arising from the evidence disclosed.
241. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His radio communications with Bockarie and Issa Hassan Sesay;
 - c. The fact that he was involved during the retreat from Freetown;
 - d. His presence at camps and AFRC/RUF bases with Superman and other commanders where civilians were forced to carry goods and perform domestic labour, including Lunsar in Port Loko District;
 - e. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

242. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

243. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
244. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - c. His radio communications with Bockarie and Issa Hassan Sesay;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. His presence at camps and AFRC/RUF bases where civilians were forced to carry goods and perform domestic labour, including Lunsar in Port Loko district; and
 - f. Any matters arising from the evidence disclosed.
245. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary

and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

Count 13: Looting and Burning

246. It is the prosecution theory of the case that at all times relevant to the indictment the AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property (refer paragraph 74 indictment).

BO DISTRICT

247. In June 1997 AFRC/RUF forces looted and burned an unknown number of civilian houses in four villages in Bo District (refer paragraph 75 indictment).

248. The evidence will demonstrate *inter alia* that:

- a. Sam Bockarie gave orders to his soldiers prior to and was present when the attack on Telu resulted in the burning of about 50 civilian houses;
- b. Sam Bockarie led the attack against Sembehun in which soldiers who described themselves as the People's Army looted items on trucks and burned at least 47 civilian houses;
- c. At least 26 civilian houses were burned in Mamboma and looted goods were placed in vehicles;
- d. Sam Bockarie participated in the attack on Tikonko where items were looted and civilian house were burned; and
- e. Morris Kallon looted bank property.

Article 6.1 responsibility

249. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. that after the AFRC/RUF came to power in May 1997 the AFRC warned civilians that they would not tolerate the harbouring of Kamajors;
 - c. that Bo District was under control of the CDF/Kamajors for large periods of the conflict;
 - d. that the Kamajors were present in Bo District during June 1997;
 - e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
 - f. that Sam Bockarie, was heard to say that the Kamajor base in Telu must be destroyed;
 - g. That in 1997 and 1998 Morris Kallon was based in Bo and reporting directly to Sam Bockarie;
 - h. that prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko;
 - i. Any matters arising from the evidence disclosed.
250. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of command and responsibility within the AFRC/RUF hierarchy;
 - b. His position in charge of diamond mining for the AFRC/RUF in Kono during the Junta period.
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

251. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

252. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
253. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.
254. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KOINADUGU DISTRICT

255. Between 14 February 1998 and 30 September 1998 AFRC/RUF forces engaged in widespread looting and burning in various locations in Koinadugu district (refer paragraph 76 indictment).
256. The evidence will demonstrate *inter alia* that:
- a. Many houses in Kalaba Town were burnt;
 - b. Food was taken by AFRC/RUF forces from Kasimbeck village;
 - c. Houses were burnt down and goods were looted from Koinadugu Town;
 - d. Many houses in Yifin were burnt;
 - e. Food was taken by AFRC/RUF forces from Koneibaia; and
 - f. All the houses in Koidu Town except the mosque were burnt.

Article 6.1 responsibility

257. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The organized “food finding missions” within the District in which items such as chickens, goats, palm oil and rice were taken from civilians and returned to AFRC/RUF bases;
 - c. That public buildings and private dwellings were burned in every village attacked by the AFRC/RUF;
 - d. That prior to the burning in Kalaba Town the AFRC/RUF said that it was as revenge for support for Kabbah;
 - e. That Yifin was burned to the ground; and
 - f. Any matters arising from the evidence disclosed.

258. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The AFRC/RUF announcement of “Operation No Living Thing”
 - c. His position of authority and command within the AFRC/RUF hierarchy;
 - d. The fact that Alex Tamba Brima was Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
259. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

260. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
261. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - c. The fact that Alex Tamba Brima was Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - e. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
 - f. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - g. Any matters arising from the evidence disclosed.
262. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KONO DISTRICT

263. Between about 14 February 1998 and 30 June 1998 the AFRC/RUF engaged in widespread looting and burning in various locations in Kono District (refer paragraph 77 indictment).
264. The evidence will demonstrate *inter alia* that:
- a. “Operation Pay Yourself” took place in Kono District; and
 - b. Many villages in the District were looted.

Article 6.1 responsibility

265. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
 - c. Any matters arising from the evidence disclosed.
266. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - c. His order to AFRC/RUF troops in Masiaka to engage in “Operation Pay Yourself” towards the base in Kono District;
 - d. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - e. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders in Kono from Bombali District.;
 - f. Any matter arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

267. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

268. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
269. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position as the SLA in charge of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - e. His presence at planning meetings in the district as detailed above;
 - f. His announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
 - g. Any matters arising from the evidence disclosed.

270. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

BOMBALI DISTRICT

271. Between about 1 March 1998 and 31 November 1998 AFRC/RUF forces burnt an unknown number of civilian buildings in various locations in Bombali District (refer paragraph 78 indictment).
272. The evidence will demonstrate *inter alia* that:
- a. Karina was frequently looted and many houses there were burnt; and
 - b. Various “food finding” missions were carried out throughout the District.

Article 6.1 responsibility

273. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. That organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
 - c. That Alex Tamba Brima ordered that every house in Karina, the home of President Kabbah, be burnt down;
 - d. That during the AFRC/RUF attacks on Mandaha, Lohondi, Mateboi, Mafabu and Malama en route to Rosos, many houses were burnt;
 - e. That the entire village of Gbonkonaba was burned;

- f. That dwellings in Gbendembu (or Gbendubu or Pendembu) were burned immediately before the AFRC/RUF sent an audio cassette with a civilian who had been amputated to Makeni warning the civilians of Makeni that they would meet a similar fate if they failed to rise up against EGOMOG and cooperate with the AFRC/RUF;
 - g. That the AFRC/RUF group in Bombali District was in contact with Bockarie in Kailahun; and
 - h. Any matters arising from the evidence disclosed.
274. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander at Rosos camp;
 - c. The fact that organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
 - d. That Alex Tamba Brima ordered that every house in Karina, the home of President Kabbah, be burnt down;
 - e. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
275. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

276. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
277. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position as a senior commander at Rosos camp from where food finding missions were sent;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - e. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - f. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun;
 - g. Any matters arising from the evidence disclosed.
278. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

279. Between 6 January 1999 and 28 February 1999 AFRC/RUF forces engaged in widespread looting and burning throughout the city of Freetown and the Western Area (refer paragraph 79 indictment).

280. The evidence will demonstrate *inter alia* that:

- a. Looting of civilians houses was widespread throughout the city;
- b. The incidence of looting increased as the AFRC/RUF forces retreated from Freetown; and
- c. Large sections of eastern Freetown were burnt.

Article 6.1 responsibility

281. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- b. The fact that Sam Bockarie gave instructions to AFRC/RUF leaders in Freetown to carry out the “operation no living thing”;
- c. That AFRC/RUF senior commanders, including Alex Tamba Brima, and Santigie Kanu gave orders to kill and burn as much as possible;
- d. That the scale of looting increased as AFRC/RUF forces were forced to retreat from Freetown;
- e. That AFRC/RUF senior commanders, including Sanitigie Kanu and Ibrahim Bassy Kamara, personally engaged in looting; and
- f. Any matters arising from the evidence disclosed.

282. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown;
 - d. The order from Bockarie in Kailahun District communicated to Alex Tamba Brima in Freetown that there was to be an “Operation No Living Thing” and that everything in Freetown should be burned;
 - e. The order given by Alex Tamba Brima to the AFRC/RUF forces to burn and loot civilian property;
 - f. The presence of Alex Tamba Brima when his subordinates burned and looted civilian property;
 - g. The fact that Alex Tamba Brima looted civilian property;
 - h. The fact that the magnitude of the looting increased when AFRC/RUF forces were forced to retreat; and
 - i. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
283. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

284. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

285. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- e. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown;
- f. The orders given by Alex Tamba Brima to his subordinates to burn and loot civilian property; and
- g. Any matters arising from the evidence disclosed.

286. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

Counts 14 – 17: Attacks on UNAMSIL Personnel

287. It is the prosecution theory of the case that between about 15 April 2000 and 15 September 2000 the AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers at various locations within Sierra Leone. The attacks included the unlawful killing of UNAMSIL peacekeepers and the abduction of hundreds of peacekeepers and humanitarian assistance workers (refer paragraph 80 indictment).
288. The evidence will demonstrate *inter alia* that:
- a. AFRC/RUF forces attacked UNAMSIL peacekeepers and humanitarian assistance workers in Makeni, Magburaka and Makoth;
 - b. About 300 peacekeepers were abducted and detained; and
 - c. A number of peacekeepers were killed.

Article 6.1 responsibility

289. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. That at the Makeni Demilitarization, Demobilisation and Reintegration (DDR) Camp Morris Kallon threatened peacekeepers and told them to dismantle the camp within 72 hours;
 - b. That orders were then passed over radio between Alex Tamba Brima and Foday Sankoh for the arrest of UNAMSIL personnel;
 - c. That Morris Kallon and Augustine Gbao were present when UN military observers were taken hostage, mistreated and tied together;
 - d. That Morris Kallon abducted the UN military observers and drove them to the RUF base at Tekko Barracks in Makeni;
 - e. That the Makeni DDR Camp was surrounded and attacked by the RUF under the command of Augustine Gbao;

- f. That the RUF commander in the area erected checkpoints and posted AFRC/RUF personnel at the check points in order to cut off escape routes for UNAMSIL troops;
 - g. That Issa Hassan Sesay gave orders to Morris Kallon to mobilize men to attack the Kenyan peacekeepers in Magburaka;
 - h. That Issa Hassan Sesay supplied ammunition for the fight in Magburaka;
 - i. That Morris Kallon and Augustine Gbao communicated the orders to attack the UN peacekeepers in Magburaka;
 - j. That peacekeepers were abducted in both Magburaka and Makeni;
 - k. That Issa Hassan Sesay ordered that the movement of detained Zambian peacekeepers to Kono;
 - l. That Issa Hassan Sesay gave an instruction to arrest and hold UN personnel in Kailahun;
 - m. That the release of the abducted UN personnel was negotiated by Issa Hassan Sesay; and
 - n. Any matters arising from the evidence disclosed.
290. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel by Alex Tamba Brima, or his aiding and abetting thereof, or that resulted from the participation of Alex Tamba Brima in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
291. It is further the case for the prosecution that the attacks on UNAMSIL personnel were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Alex Tamba Brima.

Article 6.3 Responsibility

292. It is the prosecution theory of the case that Alex Tamba Brima held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
293. It is the prosecution theory of the case that the fact that Alex Tamba Brima knew or should have known that the attacks on UNAMSIL personnel were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the attacks on UNAMSIL personnel;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - c. Any matters arising from the evidence disclosed.
294. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Alex Tamba Brima failed to take necessary and reasonable measures to prevent the attacks on UNAMSIL personnel or to punish the perpetrators thereof.

(b) BRIMA BAZZY KAMARA

General

295. Throughout the relevant period Brima Bazy Kamara was a senior member of the AFRC, Junta and AFRC/RUF forces (refer paragraphs 22 to 24 inclusive indictment filed 05.02.04).
296. It is the prosecution theory of the case that in relation to each count on the indictment Brima Bazy Kamara is guilty pursuant to Article 6.1 of the Statute for crimes which he planned, instigated, ordered, committed or in whose planning, preparation or execution he otherwise aided and abetted, or

which were within a joint criminal enterprise in which he participated and/or were a reasonably foreseeable consequence of the joint criminal enterprise in which he participated (refer paragraph 35 indictment). And, or alternatively, the prosecution submits that Brima Bazzy Kamara is guilty pursuant to Article 6.3 of the Statute of the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and he failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof (refer paragraph 36 indictment).

Count 1: Terrorizing the Civilian Population

297. It is the prosecution theory of the case that the crimes alleged in counts 3 to 13 inclusive were done as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone and did terrorize that population (refer paragraph 41 indictment).
298. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Brima Bazzy Kamara and count 1.

Count 2: Collective Punishments

299. It is the prosecution theory of the case that at various locations throughout Sierra Leone during the period covered by the indictment, the AFRC/RUF engaged in the crimes charged in counts 3 to 13 to punish the civilian population for allegedly supporting the elected government of President Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF (refer paragraph 41 indictment.)
300. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Brima Bazzy Kamara and count 2, particularly:

- a. The amputation of limbs by members of the AFRC/RUF in Freetown, Bombali, Kono and Koinadugu Districts where the civilian victims were told to “go to Kabbah” for new hands;
- b. The crimes committed during attacks on Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina in Bombali District carried out in a single day because it was believed that the inhabitants belonged to the Mandingo ethnic group, the same ethnic group as President Kabbah;
- c. The crimes committed during attacks in various villages in Kenema, Bo and Kailahun Districts where it was perceived that the civilians were supporting and/or harbouring the CDF/Kamajors; and
- d. The burning of civilian property performed as part of the attacks on many villages throughout the various Districts of Sierra Leone.

Counts 3 – 5: Unlawful Killings

- 301. It is the prosecution theory of the case that victims were routinely shot, hacked to death and burned to death (refer paragraph 42 indictment).

BO DISTRICT

- 302. In June 1997 AFRC/RUF forces attacked five villages in Bo District: Sembehun, Tikonko, Mamboma, Gerihun and Telu. An unknown number of civilians were killed (refer paragraph 43 indictment).
- 303. The evidence will demonstrate *inter alia* that:
 - a. Sam Bockarie led the attack against Sembehun where at least 8 civilians were killed by soldiers who described themselves as the People’s Army;
 - b. Sam Bockarie participated in the attack on Tikonko where SLA soldiers dressed in combat uniform killed at least 19 civilians;
 - c. SLA soldiers killed at least 3 civilians during the attack on Mamboma;
 - d. SLA/Junta forces killed at least 5 civilians during the attack on Gerihun; and

- e. Sam Bockarie was present in Telu and gave orders to his soldiers before the attack in which several civilians were killed by RUF/SLA soliders.

Article 6.1 responsibility

304. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. That after the AFRC/RUF came to power in May 1997 the AFRC/RUF warned civilians that they would not tolerate the harbouring of Kamajors;
 - c. That Bo District was under control of the CDF/Kamajors for large periods of the conflict;
 - d. That the Kamajors were present in Bo District during June 1997;
 - e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
 - f. That Sam Bockarie was heard to say that the Kamajor base in Telu must be destroyed;
 - g. That during the Junta period Morris Kallon was present in Bo District, including at the AFRC/RUF base at Koribondu, and reported directly to Sam Bockarie;
 - h. That prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko;
 - i. That the civilians killed were not Kamajors;
 - j. That the civilians killed included the Paramount Chief of Bo District; and
 - k. Any matters arising from the evidence disclosed.

305. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. The fact that he was a member of the group which staged the coup and ousted the government of President Kabbah;
 - b. His position as a Public Liaison Officer (PLO) within the AFRC and member of the Junta governing body; and
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
306. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

307. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
308. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. The announced AFRC position with respect to the harbouring of Kamajors;
 - b. His position of authority within the AFRC/RUF Junta and the fact that his subordinates engaged in the killing of civilians;

- c. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. The presence of Bockarie, the RUF Battlefield Commander, and troops in Bo District during June 1997; and
 - f. Any matters arising from the evidence disclosed.
309. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KENEMA DISTRICT

310. Between 25 May 1997 and about 19 February 1998 an unknown number of civilians were killed in Kenema District (refer paragraph 44 indictment).
311. The evidence will demonstrate *inter alia* that:
- a. On the order of Sam Bockarie one civilian was beaten to death with strips of a rubber tyre;
 - b. At least 5 civilians, alleged to be CDF/Kamajor supporters, were tortured and killed;
 - c. Civilians were killed for allegedly stealing from other civilians;
 - d. Civilians were killed on a main street in Kenema Town by indiscriminate firing by AFRC/RUF forces; and
 - e. Many civilians were shot while mining diamonds for the AFRC/RUF in Cyborg Pit.

Article 6.1 responsibility

312. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The announcement of AFRC/RUF area leaders at a community meeting in Kenema that the civilians were to accept the AFRC/RUF government and that this government would “close the eyes forever” of anyone who did not cooperate;
 - c. That between May 1997 and February 1998 there was fighting between the AFRC/RUF and Kamajor forces in Kenema District;
 - d. That a number of the civilians tortured and killed in Kenema District, including B S Massaquoi, were prominent in the community and were perceived by the AFRC/RUF to support the Kamajors;
 - e. That civilians were killed on a main street in Kenema Town when AFRC/RUF forces fired indiscriminately in retaliation for a previous CDF/Kamajor attack on an AFRC/RUF camp;
 - f. The regular visits of high level AFRC/RUF commanders to Tongo Field / Cyborg mining sites; and
 - g. Any matters arising from the evidence disclosed.
313. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. The fact that he was a member of the group which staged the coup and ousted the government of President Kabbah;

- b. His position as a Public Liaison Officer (PLO) within the AFRC and member of the Junta governing body; and
- c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

314. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

315. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

316. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

317. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary

and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KONO DISTRICT

318. Between about 14 February 1998 and 30 June 1998 following their flight from Freetown the AFRC/RUF killed several hundred civilians in various locations in Kono District (refer paragraph 45 indictment).

319. The evidence will demonstrate *inter alia* that:

- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing”;
- b. Over 100 civilians were killed in Koidu Town;
- c. Tombodu became known as a “killing zone” where dead bodies were thrown into a hole known as “Savage Pit”;
- d. Many civilians were beheaded in Foindu and the severed heads carried were carried in a bag to Tombodu;
- e. 32 people were shot in a house in Mortema;
- f. Many civilians were burned alive in houses throughout the District; and
- g. Many civilians were killed through indiscriminate shooting in the diamond mines.

Article 6.1 responsibility

320. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;

- b. The declaration of ownership of all mining areas in Sierra Leone by the AFRC/RUF during the Junta period;
 - c. The continuation of the AFRC/RUF alliance after the February 1998 ECOMOG intervention and the flight of the AFRC/RUF from Freetown;
 - d. The AFRC/RUF announcement in 1998 of “Operation No Living Thing”;
 - e. The announcement by the AFRC/RUF leadership of “Operation Pay Yourself” during the retreat to Makeni and then Koidu;
 - f. The settlement of AFRC/RUF forces in Kono District and specifically Koidu Town in 1998;
 - g. The meetings of senior AFRC/RUF commanders in Kono District during this period which established a command structure for AFRC/RUF operations;
 - h. That Issa Hassan Sesay told civilians at a public meeting in Koidu that he was present to ensure that diamonds were mined to finance the movement and that all civilians must cooperate;
 - i. That at the same meeting Issa Hassan Sesay said that disciplinary measures would be taken against those working in the mines and the measures included execution;
 - j. That the AFRC/RUF used diamonds mined from Kono District to fund arms, ammunition and medicine; and
 - k. Any matters arising from the evidence disclosed.
321. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;

- c. The general instruction issued by Bockarie to Issa Hassan Sesay at the time of the February 1998 ECOMOG intervention to ensure that the AFRC/RUF did not lose Kono;
 - d. The fact that Issa Hassan Sesay passed this instruction to other AFRC/RUF commanders;
 - e. The arrival of Brima Bazzy Kamara, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - f. Meetings between senior AFRC/RUF commanders in Kono in February/March 1998 at which Brima Bazzy Kamara was present;
 - g. The fact that Brima Bazzy Kamara in Kono was in regular contact with Bockarie in Kailahun concerning the group's arms and ammunitions supplies;
 - h. The fact that the AFRC/RUF base in Kono was to be used as a "blocking force" against ECOMOG in order to maintain control of the Kono district;
 - i. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun;
 - j. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
322. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

323. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

324. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. His position as the SLA in charge of logistics and support in Kono post ECOMOG intervention within the AFRC/RUF collaboration;
- c. The fact that the events which occurred in Tombudu were committed by an officer under the direct command of Brima Bazzy Kamara;
- d. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- f. His presence and participation at planning meetings in the District as described above; and
- g. Any matters arising from the evidence disclosed.

325. It is further the prosecution theory of the case that it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The matters referred to above; and
- b. The fact that Brima Bazzy Kamara knew about the incidents which occurred in Tombudu and did not prevent them nor did he take any action to punish the perpetrators;

KAILAHUN DISTRICT

326. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Kailahun District (refer paragraph 46 indictment).
327. The evidence will demonstrate *inter alia*:
- a. That there was a mass killing of people accused of being Kamajors in Kailahun Town;
 - b. The killing of 10 civilians in Buedu; and
 - c. The shooting of 2 abducted boys because they were unable to carry loads.

Article 6.1 responsibility

328. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. Meetings of senior AFRC/RUF commanders in Kailahun District following the 1998 ECOMOG intervention which established command structures and gave military responsibility to Bockarie;
 - c. The fact that following the ECOMOG intervention the main AFRC/RUF base was located in Kailahun and was the main point of contact and communication for the AFRC/RUF especially for allies in Liberia;
 - d. The mass killing in Kailahun Town of people accused of being Kamajors; and
 - e. Any matters arising from the evidence disclosed.

329. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
330. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

331. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
332. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and

d. Any matters arising from the evidence disclosed.

333. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KOINADUGU DISTRICT

334. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Koinadugu District (refer paragraph 47 indictment).

335. The evidence will demonstrate *inter alia* that:

- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing”;
- b. There was widespread killing of civilians from indiscriminate firing upon AFRC/RUF forces entering villages and towns within the District;
- c. In Katombo II 2 policemen were killed, gutted and their intestines pulled across a road as a checkpoint; and
- d. In various villages civilians were burned to death after being locked in houses, including 48 people in one house in Koinadugu Town and 41 people in one house in Yifin.

Article 6.1 responsibility

336. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
 - d. The 1998 declaration of “Operation No Living Thing” by the AFRC/RUF;
 - e. The killing of babies belonging to abducted mothers because their crying was thought to reveal AFRC/RUF locations; and
 - f. Any matters arising from the evidence disclosed.
337. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of command and authority within the AFRC/RUF hierarchy;
 - b. The fact that Brima Bazzy Kamara was the deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that Brima Bazzy Kamara was one of the commanders leading the AFRC/RUF forces based from Koinadugu;
 - d. The fact that Alex Tamba Brima supported by Brima Bazzy Kamara led attacks on the town of Yiffin where civilians were shot dead, and others placed in a house and burnt alive;
 - e. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where civilians were killed; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

338. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

339. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
340. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - c. The fact that Brima Bazzy Kamara was the deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
 - f. Any matters arising from the evidence disclosed.
341. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary

and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

BOMBALI DISTRICT

342. Between 1 May 1998 and 30 November 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Bombali District (refer paragraph 48 indictment)
343. The evidence will demonstrate *inter alia* that:
- a. Civilians were killed with machetes during attacks on Karina and Bonyoyo;
 - b. The throats of a mother and son were cut in Daraya village;
 - c. A suckling mother was abducted and killed from Daraya village;
 - d. Eleven civilians were shot in Gbendubu Town;
 - e. A pregnant woman had her stomach slit open; and
 - f. Civilians were killed during attacks on Kamakwie Town.

Article 6.1 responsibility

344. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base at Rosos (or Rosors or Rossos) where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were present;
 - c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle Group in Rosos and Bockarie in Kailahun;

- d. That Bockarie sent troops to Alex Tamba Brima in Rosos;
- e. The AFRC/RUF belief that Karina was the home of President Kabbah;
- f. The AFRC/RUF belief that the villagers of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina belonged to the same ethnic grouping – Mandingo – as President Kabbah;
- g. The order of Alex Tamba Brima that the AFRC/RUF should make its mark on Karina and that no one should be spared;
- h. That the villages of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina were attacked in a single day and many civilians were killed, including about 8 civilians in Karina who were burned alive in a house;
- i. The ordering of “Operation Fearful the Area” by Alex Tamba Brima;
- j. The ordering of human sacrifices by Alex Tamba Brima;
- k. The order of Alex Tamba Brima that all civilians should be killed in Batmis;
- l. That after civilians had been killed in Gbendembu (or Gebendubu or Pendembu) Alex Tamba Brima ordered that an audio cassette be given to an amputated man who was then sent to Makeni to warn civilians to rise up against ECOMOG, and that any failure to cooperate would result in the people of Makeni meeting the same fate as those of Gbendembu; and
- m. Any matters arising from the evidence disclosed.

345. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - c. The fact that Brima Bazzy Kamara participated in the attack against the villages of Mayombo, Bonoyo, Daraya and Karina;
 - d. His participation in the shooting in the attack on Karina;

- e. The fact that on the specific order of Brima Bazzy Kamara about eight civilians were burnt alive in a house in Karina; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

346. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

347. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

348. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
- e. His position as commander of attacking troops;

- f. The AFRC/RUF policy of punishing civilians for alleged support of President Kabbah; and
- g. Any matters arising from the evidence disclosed.

349. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

350. Between 6 January 1999 and 28 February 1999 the AFRC/RUF killed an unknown number of civilians during armed attacks on the city of Freetown and the Western Area (refer paragraph 49 indictment).
351. The evidence will demonstrate *inter alia* that between 3000 and 5000 civilians were killed, including:
- a. 70 people in a mosque in Kissi;
 - b. The burning alive of civilians in houses;
 - c. The execution of civilians on the streets;
 - d. Deaths arising from large scale amputations; and
 - e. The killing of 15 babies in front of their mothers on the retreat from Freetown.

Article 6.1 responsibility

352. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
 - c. The purchase by Bockarie of arms and ammunitions for the Freetown offensive with diamonds in late 1998;
 - d. That commanders of AFRC/RUF groups or units operating in Freetown were ordered to kill people, including by burning them alive;
 - e. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - f. That specific orders were given to the AFRC/RUF by Alex Tamba Brima to kill civilians who were SLPP collaborators, police officers or surrendering soldiers;
 - g. The instruction given by Alex Tamba Brima to kill civilians and burn houses in an "Operation No Living Thing" once the AFRC/RUF lost Statehouse to ECOMOG; and
 - h. Any matters arising from the evidence disclosed.
353. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;

- c. His participation in a meeting in Waterloo with Issa Hassan Sesay, Alex Tamba Brima and Morris Kallon as a result of which the AFRC/RUF forces regrouped and attacked Hastings and Tombu in the Western Area;
- d. The fact that Brima Bazzy Kamara was present when many of his subordinates committed killings;
- e. The fact that at the Statehouse and throughout the retreat from Freetown, Brima Bazzy Kamara was present while his subordinate killed civilians; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

354. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

355. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
356. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;

- c. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- e. The desire of the AFRC/RUF to punish the civilian population of Freetown for the perceived support of President Kabbah and ECOMOG;
- f. Any matters arising from the evidence disclosed.

357. It is further the prosecution theory of the case that it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The matters referred to above; and
- b. The fact that Brima Bazzy Kamara was present during the killings of civilians in Freetown and did not prevent them nor did he take any action to punish the perpetrators.

PORT LOKO

358. Between February 1999 and April 1999 the AFRC/RUF as they fled from Freetown killed an unknown number of civilians in Port Loko District (refer paragraph 50 indictment).

359. The evidence will demonstrate *inter alia* that:

- a. Civilians were killed in Waterloo, Masiaka, Tendakum and Manaarma;
- b. Over 40 civilians were killed in Tendakum, many by being hacked to death; and
- c. Over 70 people were burned alive in a house in Manaarma;

Article 6.1 responsibility

360. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. That the killings occurred as the AFRC/RUF engaged in an organized retreat from Freetown towards Masiaka;
 - c. That Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, the senior commanders involved in the retreat, were in radio communication between senior RUF commanders, including Issa Hassan Sesay in Makeni and Sam Bockarie in Kailahun;
 - d. That Brima Bazzy Kamara held meetings in which he ordered the killing of civilians;
 - e. That even when the AFRC/RUF group reached Masiaka and split into 2 areas centred on Occra Hills and Lunsar, the groups stayed in communication with each other;
 - f. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - g. The scale of the killings in the attacks on the villages in Port Loko District, including in Tendakum where about 40 villagers were hacked to death and in Manaarma where 73 people were burned alive in a house;
 - h. The fact that those not killed in these villages were told to go to Kabbah and tell him what had happened; and
 - i. Any matters arising from the evidence disclosed.

361. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as commander of the retreating AFRC/RUF forces from Freetown;
 - c. The fact that Brima Bazzy Kamara held meetings during which he ordered his subordinates to kill civilians;
 - d. The radio communication between Brima Bazzy Kamara, Issa Hassan Sesay and Sam Bockarie;
 - e. The fact that senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - f. The fact that Brima Bazzy Kamara was temporarily the commander of the West Side Boys in Magbeni;
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
362. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

363. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

364. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. His position as commander of the retreating AFRC/RUF forces from Freetown;
 - c. His position as temporary commander of the West Side Boys in Magbeni and the fact that learned about the killings committed by his men during missions in Manaarma;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - f. His radio communications with Bockarie and Issa Hassan Sesay; and
 - g. Any matters arising from the evidence disclosed.
365. It is further the prosecution theory of the case that it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:
- a. The matters referred to above; and
 - b. The fact that Brima Bazzy Kamara knew about the killings which occurred in Manaarma and did not prevent them nor did he take any action to punish the perpetrators;

Counts 6 – 8: Sexual Violence

366. It is the prosecution theory of the case that the AFRC/RUF committed widespread sexual violence against civilian women and girls (refer paragraph 51 indictment).

KONO DISTRICT

367. Between 14 February 1998 and 30 June 1998 members of the AFRC/RUF raped hundreds of women and girls at various locations in Kono District and abducted an unknown number of women and girls from various locations in Kono District and used them as sex slaves (refer paragraph 52 indictment).

368. The evidence will demonstrate *inter alia*:

- a. The gang rape of women in Koidu Town;
- b. The rape of a woman in Koidu Town 23 days after she had given birth;
- c. The widespread use of captured girls as “wives”
- d. The rape of 7 women at Sawa;
- e. The rape of women and girls found hiding in the bush in the District; and
- f. The rampant sexual abuse of women and girls at Cyborg Mining Pit.

Article 6.1 responsibility

369. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;

- b. The presence of military training camps in Kono District, such as “Superman Camp” and Kissi-town (or Kissi Town) camp where large numbers of AFRC/RUF forces were present; and
 - c. Any matters arising from the evidence disclosed.
370. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge of logistics and supplies in Kono post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;
 - c. His position as one of the top AFRC/RUF commanders in Koidu town appointed by Johnny Paul Koroma after his departure for Kailahun;
 - d. The fact that the events that occurred in Tombudu were being committed by an officer under his direct command;
 - e. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - f. His arrival along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - g. His frequent presence in Kono District, including at military training camps, between February and September 1998;
 - h. That Brima Bazzy Kamara and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu; and
 - i. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

371. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

372. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
373. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position as the SLA in charge of logistics and supplies in Kono post ECOMOG intervention within the AFRC/RUF collaboration and the fact that his subordinates engaged in sexual violence;
 - c. His position as one of the top AFRC/RUF commanders in Koidu town appointed by Johnny Paul Koroma after his departure for Kailahun;
 - d. The fact that the events that occurred in Tombudu were being committed by an officer under his direct command;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - f. His presence at planning meetings in the District as detailed above;
 - g. His frequent presence in Kono District, including at military training camps, between February and September 1998; and

h. Any matters arising from the evidence disclosed.

374. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:

- a. The fact that Brima Bazzy Kamara was informed of the crimes committed in Tombudu and did not prevent them nor did he take any action to punish the perpetrators; and
- b. Any other matters arising from the evidence disclosed.

KOINADUGU DISTRICT

375. Between 14 February 1998 and 30 September 1998 members of the AFRC/RUF raped an unknown number of women and girls in various locations in Koinadugu District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 53 indictment).

376. The evidence will demonstrate *inter alia*:

- a. The rape and gang rape of women at various villages throughout the District;
- b. The gang rape of one woman in Kabala that resulted in her death;
- c. The forced marriage of about 50 girls abducted from Katombo; and
- d. The sexual slavery of many women and girls in the area around Kurubonla.

Article 6.1 responsibility

377. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and

control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
- c. The physical violence that routinely accompanied sexual violence, such as amputations, stabbings, beatings, threats of death and the insertion of sticks or other foreign objects into vaginas;
- d. The ordering of young boys forcibly conscripted to the AFRC/RUF to carry out rapes, including the rapes of older women;
- e. The targeting of pregnant women, suckling mothers and virgins for sexual attack;
- f. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
- g. Any matters arising from the evidence disclosed.

378. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that Brima Bazzy Kamara was deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- c. The fact that from Koinadugu AFRC/RUF forces led by Alex Tamba Brima and supported by Brima Bazzy Kamara attacked the town of Yiffin where civilians were raped;

- d. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where six women were raped on a veranda of a house by subordinates of Brima Bazzy Kamara and he was present during the crimes;
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

379. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

380. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
381. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - c. The fact that Brima Bazzy Kamara was the deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;

- d. The fact that Brima Bazzy Kamara was present in Yiffin and in Dandawalli when his subordinates raped civilians;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- f. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
- g. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
- h. Any matters arising from the evidence disclosed.

382. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:

- a. The fact that Brima Bazzy Kamara was informed of the crimes committed in Yiffin and in Dandawalli and did not prevent them nor did he take any action to punish the perpetrators; and
- b. Any other matters arising from the evidence.

BOMBALI DISTRICT

383. Between 1 May 1998 and 31 November 1998 members of the AFRC/RUF raped an unknown number of women and girls at various locations in Bombali District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 54 indictment).

384. The evidence will demonstrate *inter alia*:

- a. The rape of women captured from Mandaha;
- b. The public raping of young suckling mothers in Batmis;
- c. The gang rape of women and girls in Rosos;

- d. The abduction of women from Karina, who were stripped and tied together, taken to Rosos and made to “marry” rebels; and
- e. The gang rape of a 15 or 16 year old suckling mother in Makeni.

Article 6.1 responsibility

385. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos; and
 - c. Any matters arising from the evidence disclosed.
386. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred;
 - c. His presence as commander during the attack on Karina, during which the AFRC/RUF abducted women and took them as “wives”;
 - d. His presence as commander in Mandaha immediately following the attack on Karina where women abducted from elsewhere were raped by the AFRC/RUF forces; and

- e. Any other matter arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

387. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

388. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

389. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
- e. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred;

- f. His presence during the various attacks throughout Bombali District where acts of sexual violence were committed; and
- g. Any matters arising from the evidence disclosed.

390. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent sexual violence or to punish the perpetrators thereof.

KAILAHUN DISTRICT

391. At all times relevant to the indictment an unknown number of women and girls were subjected to sexual violence at various locations in Kailahun District. Many such women and girls were captured in other areas of Sierra Leone and brought to AFRC/RUF camps in Kailahun District and used as sex slaves (refer paragraph 55 indictment).

392. The evidence will demonstrate *inter alia*:

- a. The use of women as “wives” by the rebels in Beudu.

Article 6.1 responsibility

393. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The fact that many of the women and girls used as sex slaves were brought to Kailahun District from other parts of Sierra Leone;

- c. The presence of training camps and the AFRC/RUF High Command in Kailahun District where large numbers of AFRC/RUF forces were present; and
 - d. Any matters arising from the evidence disclosed.
394. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His presence at meetings in Kailahun District during the relevant period; and
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
395. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

396. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
397. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

398. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

399. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF raped hundreds of women and girls throughout the city of Freetown and the Western Area and abducted hundreds of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 56 indictment).

400. The evidence will demonstrate *inter alia*:

- a. The rape of hundreds of women and girls captured in Freetown;
- b. The “marriage” to rebels of hundreds of women and girls who were abducted by the retreating AFRC/RUF forces; and
- c. The gang rape of many girls and women at Benguima.

Article 6.1 responsibility

401. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the

attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The fact that women and girls were taken to Statehouse, the headquarters of the AFRC/RUF during the Freetown invasion, where they were subjected to rape and other forms of sexual violence in the presence of the senior AFRC/RUF commanders;
- c. That on the retreat from Freetown hundreds of women and girls were abducted, forced to accompany the AFRC/RUF forces and raped; and
- d. Any matters arising from the evidence disclosed.

402. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. The fact that Brima Bazzy Kamara was present when his subordinates engaged in acts of sexual violence on women captured by the AFRC/RUF; and
- d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

403. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

404. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
405. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - d. His presence when his subordinates engaged in acts of sexual violence on women captured by the AFRC/RUF;
 - e. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces; and
 - f. Any matters arising from the evidence disclosed.
406. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary

and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:

- a. The fact that Brima Bazzy Kamara was present when his subordinates engaged in acts of sexual violence on women captured by the AFRC/RUF and did not prevent them nor did he take any action to punish the perpetrators; and
- b. Any other matters arising from the evidence.

PORT LOKO DISTRICT

407. Between February 1999 and April 1999 an unknown number of women and girls were subjected to sexual violence at various locations in the Port Loko District by members of the AFRC/RUF as the AFRC/RUF fled from Freetown (refer paragraph 57 indictment).

408. The evidence will demonstrate *inter alia*:

- a. The rape of many women in Tendakum by rebels in “booths”;
- b. The rape of 4 women abducted from Malabe village;
- c. The rape of one woman by Santigie Borbor Kanu; and
- d. The forced marriage of abducted women.

Article 6.1 responsibility

409. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;

- b. That hundreds of girls and women were abducted from Freetown and forced to accompany the retreating AFRC/RUF forces and were subjected to sexual violence Port Loko District;
 - c. That more women and girls from Port Loko District were subjected to organized sexual violence, including in Tendakum where the AFRC/RUF rebels created a list of captured civilians following which they were told to take whatever women they wanted for “wives”;
 - d. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - e. That while in Masiaka Santigie Borbor had three “wives” from amongst the abducted women and girls;
 - f. That women subjected to sexual slavery were present at the AFRC/RUF camp at Lunsar where senior AFRC/RUF commanders, including Superman, were based; and
 - g. Any matters arising from the evidence disclosed.
410. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - c. The fact that Brima Bazzy Kamara was temporarily the commander of the West Side Boys in Magbeni;
 - d. His radio communications with Bockarie and Issa Hassan Sesay;
 - e. The fact that senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;

- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

411. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

412. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

413. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
- b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
- c. The fact that Brima Bazzy Kamara was temporarily the commander of the West Side Boys in Magbeni;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- e. His radio communications with Bockarie and Issa Hassan Sesay;
- f. The fact that complaints of rape were made to Issa Hassan Sesay by girls in Masiaka and his response was that the men were the “husbands” of the girls;
- g. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and

routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces; and

h. Any matters arising from the evidence disclosed.

414. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

Counts 9 – 10: Physical Violence

415. It is the prosecution theory of the case that physical violence, including mutilations, were committed by the AFRC/RUF against civilians (refer paragraph 58 indictment).

KONO DISTRICT

416. Between 14 February 1998 and 30 June 1998 the AFRC/RUF mutilated an unknown number of civilians in various locations in Kono District. The mutilations included cutting off limbs and carving “AFRC” and “RUF” on the bodies of civilians (refer paragraph 59 indictment).

417. The evidence will demonstrate *inter alia*:

- a. The amputation of many civilians throughout Kono District, including the amputation of 6 men captured from Sawa which was observed by captured women forced to clap and laugh by the AFRC/RUF soldiers;
- b. The marking of 15 captives in Yomandu by sword blades with “RUF” and “AFRC”; and
- c. The marking by razor blade of 10 to 15 civilians with “RUF” who had attempted to escape in Tombodu.

Article 6.1 responsibility

418. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. The large numbers of abducted civilians in Kono District, both at military camps and diamond mines;
 - d. The instruction of Alex Tamba Brima to AFRC/RUF troops prior to an advance towards Koinadugu that they were going to take revenge on the civilian population because the civilians had betrayed them; and
 - e. Any matters arising from the evidence disclosed.
419. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;
 - c. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun;

- d. The arrival of Brima Bazzy Kamara, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - e. Meetings between senior AFRC/RUF commanders in Kono in February/March 1998 at which Brima Bazzy Kamara was present;
 - f. The fact that Brima Bazzy Kamara in Kono was in regular contact with Bockarie in Kailahun concerning the groups arms and ammunitions supplies;
 - g. The fact that the AFRC/RUF base in Kono was to be used as a “blocking force” against ECOMOG in order to maintain control of the Kono district;
 - h. His presence at the military training camps in Kono District during this period;
 - i. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
420. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

421. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
422. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived

support of President Kabbah and as a tool of instilling fear in the civilian population;

- b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
- c. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
- d. His position as the SLA in charge of logistics and support of Kono post ECOMOG intervention within the AFRC/RUF collaboration;
- e. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun;
- f. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- g. His frequent presence in Kono District between February and September 1998;
- h. His presence at planning meetings in the District as detailed above; and
- i. Any matters arising from the evidence disclosed.

423. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KENEMA DISTRICT

424. Between 25 May 1997 and 19 February 1998 AFRC/RUF members carried out beatings and ill-treatment of civilians in custody in various locations in Kenema District (refer paragraph 60 indictment).
425. The evidence will demonstrate *inter alia*:
- a. The torture of civilian captives in Kenema Town carried out on the order of Sam Bockarie; and

- b. The beating and physical punishment of civilians at Cyborg Mining Pit.

Article 6.1 responsibility

426. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. That the beatings and ill-treatment of civilians in custody were carried out on the orders of Bockarie, the then de facto leader of the RUF, and targeted at civilians perceived to be a threat to the AFRC/RUF government; and
 - c. Any matters arising from the evidence disclosed.
427. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
428. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

429. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
430. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.
431. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KOINADUGU DISTRICT

432. Between about 14 February 1998 and 30 September 1998 members of the AFRC/RUF mutilated an unknown number of civilians at various locations in Koinadugu District. The mutilations included cutting off limbs and carving "AFRC" on the chests and foreheads of the civilians (refer paragraph 61 indictment).
433. The evidence will demonstrate *inter alia*:

- a. Civilians were amputated at various locations in the District, a number of whom were given a letter and told to “go to Kabbah”;
- b. The amputation of a 6 year old girl in Koneibaia; and
- c. The marking of “RUF” by razor blade on the forehead of 3 men in Koneibaia.

Article 6.1 responsibility

434. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu district throughout 1998;
 - d. The fact that civilians amputated by AFRC/RUF forces were given letters to take to President Kabbah and/or told to go to Kabbah to ask for their limb back;
 - e. That hundreds of children underwent military training at Koinadugu Town and Serekolia, many of whom were given “AFRC” and/or “RUF” markings; and
 - f. Any matters arising from the evidence disclosed.
435. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and

abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that Brima Bazzy Kamara was the deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
- d. The fact that from Koinadugu AFRC/RUF forces led by Alex Tamba Brima and supported by Brima Bazzy Kamara attacked Yiffin and chopped civilians with machetes;
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

436. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

437. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
438. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;

- b. The fact that Brima Bazzy Kamara was the deputy Field Commander of the Western section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that from Koinadugu AFRC/RUF forces led by Brima Bazzy Kamara and supported by Brima Bazzy Kamara attacked Yiffin and chopped civilians with machetes;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - f. Any matters arising from the evidence disclosed.
439. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

BOMBALI DISTRICT

440. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Bombali District. The mutilations included cutting off limbs (refer paragraph 62 indictment).
441. The evidence will demonstrate *inter alia*:
- a. The amputation of civilians in Lohindi village;
 - b. The beating of a civilian with a rubber “Cobra” in Makeni;
 - c. The amputation of 4 men near Batkanu village;
 - d. The double amputation of a woman in Batmis on the order of Bockarie as punishment for the escape of other civilians;
 - e. The double amputation of 2 men in the bush between Makeni and Mateboi; and

- f. The amputation of 7 men in Karina village.

Article 6.1 responsibility

442. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. That many civilians in Karina, the home of President Kabbah, had their limbs cut off;
 - c. That at least one of the civilians amputated in Lohondi was told to go to Tejan Kabbah who would give him a new hand;
 - d. That at least two civilians amputated in Mateboi were told to tell ECOMOG and Kabbah that the AFRC/RUF were coming and to give them hands;
 - e. That the AFRC/RUF attacked the Batkuna and Sanda areas where the hands of civilians were amputated;
 - f. The launching of “Operation Fearful the Area” which included systematic amputations;
 - g. The order from Alex Tamba Brima that the AFRC/RUF would make its mark on Karina;
 - h. That a man who had been amputated by the AFRC/RUF forces in Gbendembu (or Gbendubu or Pendembu) was, on the order of Alex Tamba Brima, given an audio cassette and told to take it to Makeni to give a warning to civilians there to rise up against ECOMOG and that any failure to cooperate with the AFRC/RUF would result in the same fate for the people of Makeni as those of Gbendembu; and

- i. Any matters arising from the evidence disclosed.
443. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - d. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - e. His presence as a commander during the attacks on Mayombo, Bonoyo, Daraya, Karina, Mandaha and Gbendembu; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
444. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

445. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

446. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - c. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. His presence as a commander during the attacks on Mayombo, Bonoyo, Daraya, Karina, Mandaha and Gbendembu;
 - f. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
 - g. Any matters arising from the evidence disclosed.
447. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

448. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various areas of the city of Freetown and the Western Area. The mutilations included cutting of limbs (refer paragraph 63 indictment).
449. The evidence will demonstrate *inter alia*:

- a. That the AFRC/RUF executed “Operation Cut Hand” and “Operation Cut Limbs” whilst in Freetown;
- b. The amputation of hundreds of civilians, often in groups, on the streets of Freetown, such as a group of 10 men amputated at a rebel base on Fararama Street; and
- c. That on the retreat from Freetown at Kambia a pregnant woman was cut with a pair of scissors between her anus and vagina after she began bleeding black and the AFRC/RUF rebels began arguing whether her fetus was a boy or a girl.

Article 6.1 responsibility

450. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
 - c. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - d. That AFRC/RUF forces operating in Freetown were ordered by Alex Tamba Brima to amputate the hands that people used to vote for President Kabbah; and
 - e. Any matters arising from the evidence disclosed.

451. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. The order of Brima Bazzy Kamara to the AFRC/RUF forces for widespread amputations to sabotage the Kabbah government and the fact that especially after the first two weeks of the invasion widespread physical violence was carried out on the civilian population, including organized amputations of men, women and children;
 - d. His presence when amputations were being carried out by his subordinates; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
452. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

453. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

454. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
- d. His presence when amputations were being carried out by his subordinates and the fact that especially after the first two weeks of the invasion widespread physical violence was carried out on the civilian population, including organized amputations of men, women and children;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- f. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
- g. Any matters arising from the evidence disclosed.

455. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:

- a. The fact that Brima Bazzy Kamara was present when his subordinates carried out the amputations and widespread physical violence and did not prevent them nor did he take any action to punish the perpetrators; and
- b. Any other matters arising from the evidence disclosed.

PORT LOKO

456. Between February 1999 and April 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Port Loko District. The mutilations included cutting off limbs (refer paragraph 64 indictment).
457. The evidence will demonstrate *inter alia* that:
- a. Civilians were amputated in Manaarma;
 - b. “RUF” was marked on the chest of a civilian in Tendakum; and
 - c. An infant was pushed into a cooking fire in Nonkoba.

Article 6.1 responsibility

458. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - c. That Brima Bazzy Kamara held meetings during which he ordered AFRC/RUF forces to beat civilians who wanted to escape;
 - d. That civilians amputated in Manaarma were told to go to Kabbah and tell him what had happened and to tell the people of Port Loko that the rebels were coming; and
 - e. Any matters arising from the evidence disclosed.
459. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Brima Bazzy Kamara, or his aiding and

abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
- c. The fact that he was temporary the commander of the West side Boys in Magbeni;
- d. The fact that Brima Bazzy Kamara held meetings during which he ordered his subordinates to beat the civilians who try to escape;
- e. His radio communications with Bockarie and Issa Hassan Sesay;
- f. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
- g. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
- h. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

460. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

461. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

462. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - b. His position as overall commander of the retreating AFRC/RUF forces from Freetown;
 - c. The fact that he was temporary the commander of the West side Boys in Magbeni
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - f. His radio communications with Bockarie and Issa Hassan Sesay;
 - g. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
 - h. Any matters arising from the evidence disclosed.
463. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

Count 11: Use of Child Soldiers

464. It is the prosecution theory of the case that at times relevant to the indictment, the AFRC/RUF routinely conscripted boys and girls under the age of 15 to participate in active hostilities (refer paragraph 65 indictment).
465. The evidence will demonstrate *inter alia* that:
- a. Thousands of children were abducted from all over Sierra Leone;

- b. Thousands of children underwent military training at AFRC/RUF camps;
- c. Children were formed into Small Boys Units and Small Girls Units; and
- d. Armed Small Boys Units and Small Girls Units were used in combat.

Article 6.1 responsibility

466. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of boys and girls under the age of 15, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
- b. The advice of Charles Taylor to Foday Sankoh that soldiers trained from childhood are very loyal;
- c. The teaching and instruction of Foday Sankoh that even children have the right to bear arms;
- d. The widespread abduction of children by AFRC/RUF forces;
- e. The military camps set up to train children in the use of weaponry;
- f. The drugging of child soldiers by the AFRC/RUF;
- g. The widespread use of children to carry ammunition for AFRC/RUF troops during attacks;
- h. The establishment of Small Boys Units and Small Girls Units; and
- i. Any matters arising from the evidence disclosed.

467. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of children by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. The use of armed child soldiers in the January 1999 Freetown invasion and the fact that Small Boys were part of the AFRC/RUF force that entered and retreated from Freetown, and particularly part of his direct group;
- d. His presence during attacks where child soldiers were used;
- e. The establishment of a military training camp at Rosos in Bombali District where children under the age of 15 were given military training;
- f. The fact that Brima Bazzy Kamara was one of the commanders leading the AFRC/RUF forces based from Koinadugu Town to capture civilians including children and bring them back to the camps for military training;
- g. The training of hundreds of children at Koinadugu Town and Kerekolia who were later used in active hostilities; and
- h. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

468. It is further the case for the prosecution that the conscription of children was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

469. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the conscription of children and had effective control over the subordinates.

470. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the conscription of children was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the conscription of children;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
 - c. The fact that Brima Bazzy Kamara was one of the commanders leading the AFRC/RUF forces based from Koinadugu Town to capture civilians including children and bring them back to the camps for military training;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - e. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - f. His position as a commander at the Rosos camp in Bombali District; and
 - g. Any matters arising from the evidence disclosed.
471. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the conscription of children or to punish the perpetrators thereof.

Count 12: Abductions and Forced Labour

472. It is the prosecution theory of the case that the AFRC/RUF engaged in widespread and large scale abductions of civilians and the use of civilians as forced labour (refer paragraph 66 indictment).

KENEMA DISTRICT

473. Between 1 August 1997 and 31 January 1998 the AFRC/RUF forced an unknown number of civilians to mine for diamonds at Cyborg Pit in Tongo Field (refer paragraph 67 indictment).
474. The evidence will demonstrate *inter alia* that:
- a. An attack led by Sam Bockarie in August 1997 in Tongo field resulted in the capture of many civilians who were forced to mine without pay and under armed guard at Cyborg Pit;
 - b. The AFRC/RUF would fire randomly at Cyborg Pit to terrorize the civilians into submission; and
 - c. The civilian miners were subject to physical discipline.

Article 6.1 responsibility

475. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
 - b. The need in Kenema District to establish a workforce sufficient to mine diamonds at the Tongo diamond fields, including the Cyborg Pit;
 - c. The conditions under which civilians were used to mine diamonds, including the use of physical violence and death as punishments and that no civilians were paid for the work performed; and
 - d. Any matters arising from the evidence disclosed.
476. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima

Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

477. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

478. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

479. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that civilians were to be used to mine diamonds can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

480. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KONO DISTRICT

481. Between 14 February 1998 and 30 June 1998 AFRC/RUF forces abducted hundreds of civilians and took them to various locations, both within and outside Kono District, where they were used as forced labour (refer paragraph 68 indictment).
482. The evidence will demonstrate *inter alia* that:
- a. Civilians were captured from Sulukundu and taken to Koidu Town where they were forced to perform domestic labour; and
 - b. Civilians, including children, abducted from Farandu were forced to carry looted items.

Article 6.1 responsibility

483. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need in Kono District to establish a workforce sufficient to mine diamonds;
 - c. The public meeting in Koidu where Issa Hassan Sesay told civilians that they must cooperate with the AFRC/RUF to mine diamonds for the movement;

- d. The rules for the civilian mining workforce established by Issa Hassan Sesay which included that no one was to be paid, laziness would be punished by public flogging and anyone stealing a diamond would be executed; and
 - e. Any matters arising from the evidence disclosed.
484. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*;
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;
 - c. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun;
 - d. The fact that Brima Bazzy Kamara and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu who were forced to perform, *inter alia*, domestic chores;
 - e. His presence at military camps and AFRC/RUF bases where civilians were forced to carry goods and performed domestic labour;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
485. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

486. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
487. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - c. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;
 - d. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - f. The need in Kono District to establish a workforce sufficient to mine diamonds;
 - g. Any matters arising from the evidence disclosed.
488. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KOINADUGU DISTRICT

489. Between about 14 February 1998 and 30 September 1998 at various locations in Koinadugu District members of the AFRC/RUF abducted an unknown number of civilians and used them as forced labour (refer paragraph 69 indictment).
490. The evidence will demonstrate *inter alia* that:
- a. Civilians captured near Kasimbeck village were forced to carry looted food and pound rice;
 - b. About 10 civilians were captured from Karnadugu Sokurala village; and
 - c. A number of civilians were captured from Koneibaia village and forced to carry food and other items.

Article 6.1 responsibility

491. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That large AFRC/RUF training bases established at Koinadugu Town and Serekolia used forced civilian labour;
 - c. That attacks carried out in Koinadugu District used forced civilian labour to carry goods and ammunition;
 - d. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
 - e. Any matters arising from the evidence disclosed.

492. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of authority and command within the AFRC/RUF hierarchy;
- b. The fact that Brima Bazzy Kamara was deputy Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- c. The fact that Brima Bazzy Kamara was one of the commanders leading the AFRC/RUF forces based from Koniadugu Town to capture civilians and bring them back in the camps for military training;
- d. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where civilians were abducted;
- e. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

493. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

494. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

495. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
- c. The fact that Brima Bazzy Kamara was deputy Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- d. The fact that Brima Bazzy Kamara was one of the commanders leading the AFRC/RUF forces based from Koniadugu Town to capture civilians and bring them back in the camps for military training;
- e. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where civilians were abducted;
- f. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- g. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun;
- h. Any matters arising from the evidence disclosed.

496. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

BOMBALI DISTRICT

497. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF abducted an unknown number of civilians from Bombali District and used them as forced labour (refer paragraph 70 indictment).
498. The evidence will demonstrate *inter alia* that:
- a. Civilians were abducted from Daraya Village and forced to carry goods;
 - b. During the attack on Kamabai the AFRC/RUF rebels had about 100 abducted civilians with them; and
 - c. Civilians captured at Malama were brought to Batmis and forced to pound rice and fetch water.

Article 6.1 responsibility

499. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That civilians were abducted during the attack on Karina and were forced to carry goods from village to village as the AFRC/RUF made its way to Rosos;
 - c. That an AFRC/RUF training camp was operated at Rosos under the command of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu and that abducted women and children were used to perform various domestic tasks for the camp including cleaning, cooking and laundry and abducted civilian men were used for pounding rice and carrying loads obtained during AFRC/RUF attacks on neighbouring villages;

- d. That abducted civilian men and children were used on “food finding missions” from the Rosos camp;
 - e. That the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun; and
 - f. Any matters arising from the evidence disclosed.
500. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the camp at Rosos;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - d. The fact the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun;
 - e. His presence as a commander during the various attacks throughout Bombali District when men, women and children were abducted and brought to Rosos where they were used for domestic labour and on “food finding” missions;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
501. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

502. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
503. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as a commander of the camp at Rosos;
 - e. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - f. The fact the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun;
 - g. The fact that while in Rosos, AFRC/RUF troops under the command of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu used civilian men and women whom they abducted to participate in food-finding missions; and
 - h. Any matters arising from the evidence disclosed.

504. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KAILAHUN DISTRICT

505. At all times relevant to the indictment the AFRC/RUF brought civilians to various locations within Kailahun District and used them as forced labour (refer paragraph 71 indictment).
506. The evidence will demonstrate *inter alia* that:
- a. Over 200 civilians were captured in Pendembu and forced to work;
 - b. Over 500 civilians were brought to Kailahun from all over Sierra Leone; and
 - c. Civilians were forced to carry loads of ammunition and other goods, work on the rice farm of Bockarie and Morris Kallon and perform domestic labour.

Article 6.1 responsibility

507. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need in Kailahun District to establish a workforce sufficient to mine diamonds;

- c. The fact that Kailahun District was a significant base for the AFRC/RUF and large numbers of civilians were required to perform labour for the AFRC/RUF High Command and forces; and
- d. Any matters arising from the evidence disclosed.

508. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

509. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

510. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

511. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour were to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

512. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

513. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF abducted hundreds of civilians from various areas in Freetown and the Western Area and used them as forced labour (refer paragraph 72 indictment).

514. The evidence will demonstrate *inter alia* that:
- a. Thousands of civilians were abducted by the retreating AFRC/RUF forces and forced to carry ammunition and looted goods; and
 - b. Abducted civilians were forced to perform domestic labour at various locations on the retreat.

Article 6.1 responsibility

515. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and

control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
- c. The scale of abductions as the AFRC/RUF retreated from Freetown;
- d. The direct order given by Alex Tamba Brima to his subordinates as the AFRC/RUF retreated from Freetown to abduct civilians; and
- e. Any matters arising from the evidence disclosed.

516. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. His radio communications with Bockarie and Issa Hassan Sesay during the occupation of Freetown;
- d. The use of abducted civilians to carry loads; and
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

517. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political

power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

518. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
519. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District; and
 - d. Any matters arising from the evidence disclosed.
520. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

PORT LOKO

521. During February 1999 members of the AFRC/RUF used civilians, including those abducted from Freetown and the Western Area, as forced labour within

Port Loko District. The AFRC/RUF forces also abducted civilians from Port Loko District and used them as forced labour (refer paragraph 73 indictment).

522. The evidence will demonstrate *inter alia* that:
- a. Captured civilians were taken to Lunsar and forced to perform domestic work.

Article 6.1 responsibility

523. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
 - c. The direct order given by Brima Bazzy Kamara to abduct civilians; and
 - d. Any matters arising from the evidence disclosed.
524. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His radio communications with Bockarie and Issa Hassan Sesay;
 - c. The fact that he was involved during the retreat from Freetown;

- d. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - e. The radio communication between Brima Bazzy Kamara, Issa Hassan Sesay and Sam Bockarie;
 - f. The fact that Brima Bazzy Kamara was temporarily the commander of the West Side Boys in Magbeni;
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
525. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

526. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
527. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the abduction of civilians and used them as forced labour;
 - a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His radio communications with Bockarie and Issa Hassan Sesay;

- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The fact that Brima Bazzy Kamara was temporarily the commander of the West Side Boys in Magbeni;
 - e. Any matters arising from the evidence disclosed.
528. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

Count 13: Looting and Burning

529. It is the prosecution theory of the case that at all times relevant to the indictment the AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property (refer paragraph 74 indictment).

BO DISTRICT

530. In June 1997 AFRC/RUF forces looted and burned an unknown number of civilian houses in four villages in Bo District (refer paragraph 75 indictment).
531. The evidence will demonstrate *inter alia* that:
- a. Sam Bockarie gave orders to his soldiers prior to and was present when the attack on Telu resulted in the burning of about 50 civilian houses;
 - b. Sam Bockarie led the attack against Sembahun in which soldiers who described themselves as the People's Army looted items on trucks and burned at least 47 civilian houses;
 - c. At least 26 civilian houses were burned in Mamboma and looted goods were placed in vehicles;
 - d. Sam Bockarie participated in the attack on Tikonko where items were looted and civilian house were burned; and
 - e. Morris Kallon looted bank property.

Article 6.1 responsibility

532. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. That after the AFRC/RUF came to power in May 1997 the AFRC warned civilians that they would not tolerate the harbouring of Kamajors;
 - c. That Bo District was under control of the CDF/Kamajors for large periods of the conflict;
 - d. That the Kamajors were present in Bo District during June 1997;
 - e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
 - f. That Sam Bockarie, was heard to say that the Kamajor base in Telu must be destroyed;
 - g. That in 1997 and 1998 Morris Kallon was based in Bo and reporting directly to Sam Bockarie;
 - h. that prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko;
 - i. Any matters arising from the evidence disclosed.
533. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of command and responsibility within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

534. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

535. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

536. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- b. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

537. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary

and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KOINADUGU DISTRICT

538. Between 14 February 1998 and 30 September 1998 AFRC/RUF forces engaged in widespread looting and burning in various locations in Koinadugu district (refer paragraph 76 indictment).
539. The evidence will demonstrate *inter alia* that:
- a. Many houses in Kalaba Town were burnt;
 - b. Food was taken by AFRC/RUF forces from Kasimbeck village;
 - c. Houses were burnt down and goods were looted from Koinadugu Town;
 - d. That many houses in Yifin were burnt;
 - e. Food was taken by AFRC/RUF forces from Koneibaia; and
 - f. All the houses in Koidu Town except the mosque were burnt.

Article 6.1 responsibility

540. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The organized “food finding missions” within the District in which items such as chickens, goats, palm oil and rice were taken from civilians and returned to AFRC/RUF bases;
 - c. That public buildings and private dwellings were burned in every village attacked by the AFRC/RUF;

- d. That prior to the burning in Kalaba Town the AFRC/RUF said that it was as revenge for support for Kabbah;
 - e. That Yiffin was burned to the ground; and
 - f. Any matters arising from the evidence disclosed.
541. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The AFRC/RUF announcement of “Operation No Living Thing”;
 - c. His position of authority and command within the AFRC/RUF hierarchy;
 - d. The fact that Brima Bazzy Kamara was deputy Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - e. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where houses were burned;
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
542. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

543. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
544. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - c. The fact that Brima Bazzy Kamara was deputy Field Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - e. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
 - f. The fact that after the AFRC/RUF had been driven out of Kabala by ECOMOG Brima Bazzy Kamara and Santigie Borbor Kanu led the AFRC/RUF attack against Dankawalli where houses were burned;
 - g. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - h. Any matters arising from the evidence disclosed.
545. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary

and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KONO DISTRICT

546. Between about 14 February 1998 and 30 June 1998 the AFRC/RUF engaged in widespread looting and burning in various locations in Kono District (refer paragraph 77 indictment).

547. The evidence will demonstrate *inter alia* that:

- a. “Operation Pay Yourself” took place in Kono District; and
- b. Many villages in the District were looted.

Article 6.1 responsibility

548. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- b. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
- c. Any matters arising from the evidence disclosed.

549. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun
 - c. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - d. The fact that Brima Bazzy Kamara was one of the top AFRC/RUF commanders appointed by Johnny Paul Koroma after he left for Kailahun and was instructed that the burning of houses should continue and that no house should remain;
 - e. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders, in Kono from Bombali District.;
 - f. Any matter arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
550. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

551. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
552. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
- b. His position as the SLA in charge in Kono of logistics and supplies post ECOMOG intervention within the AFRC/RUF collaboration and the fact that he was in frequent communication with Sam Bockarie in Kailahun;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- e. His presence at planning meetings in the district as detailed above;
- f. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
- g. Any matters arising from the evidence disclosed.

553. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

BOMBALI DISTRICT

554. Between about 1 March 1998 and 31 November 1998 AFRC/RUF forces burnt an unknown number of civilian buildings in various locations in Bombali District (refer paragraph 78 indictment).
555. The evidence will demonstrate *inter alia* that:
- a. Karina was frequently looted and many houses there were burnt; and
 - b. Various “food finding” missions were carried out throughout the District.

Article 6.1 responsibility

556. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. That organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
 - c. That Alex Tamba Brima ordered that every house in Karina, including the home of President Kabbah, be burnt down;
 - d. That during the AFRC/RUF attacks on Mandaha, Lohondi, Mateboi, Mafabu and Malama en route to Rosos, many houses were burnt;
 - e. That the entire village of Gbonkonaba was burned;
 - f. That dwellings in Gbendembu (or Gbendubu or Pendembu) were burned immediately before the AFRC/RUF sent an audio cassette with a civilian who had been amputated to Makeni warning the civilians of Makeni that they would meet a similar fate if they failed to rise up against EGOMOG and cooperate with the AFRC/RUF;
 - g. That the AFRC/RUF group in Bombali District was in contact with Bockarie in Kailahun; and
 - h. Any matters arising from the evidence disclosed.
557. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position as a senior commander at Rosos camp;
- c. The fact that organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
- d. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun;
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

558. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

559. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
560. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- c. His position as a senior commander at Rosos camp from where food finding missions were sent;
- d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- e. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
- f. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun; and
- g. Any matters arising from the evidence disclosed.

561. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

562. Between 6 January 1999 and 28 February 1999 AFRC/RUF forces engaged in widespread looting and burning throughout the city of Freetown and the Western Area (refer paragraph 79 indictment).

563. The evidence will demonstrate *inter alia* that:
- a. Looting of civilians houses was widespread throughout the city;
 - b. The incidence of looting increased as the AFRC/RUF forces retreated from Freetown; and
 - c. Large sections of eastern Freetown were burnt.

Article 6.1 responsibility

564. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that

resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- b. The fact that Sam Bockarie gave instructions to AFRC/RUF leaders in Freetown to carry out the “operation no living thing”;
- c. That AFRC/RUF senior commanders, including Alex Tamba Brima, and Santigie Borbor Kanu gave orders to kill and burn as much as possible;
- d. That the scale of looting increased as AFRC/RUF forces were forced to retreat from Freetown;
- e. That AFRC/RUF senior commanders, including Sanitigie Borbor Kanu and Brima Bazzy Kamara, personally engaged in looting; and
- f. Any matters arising from the evidence disclosed.

565. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- c. The order from Bockarie in Kailahun District communicated to Alex Tamba Brima in Freetown that there was to be an “Operation No Living Thing” and that everything in Freetown should be burned;
- d. The order given by Alex Tamba Brima to the AFRC/RUF forces to burn and loot civilian property;

- e. The fact that Brima Bazzy Kamara was present when his subordinates engaged in wide-scale looting and burning all over the city;
- f. The fact that Brima Bazzy Kamara looted civilian property;
- g. The fact that the magnitude of the looting increased when AFRC/RUF forces were forced to retreat; and
- h. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

566. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

567. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

568. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- d. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
- e. The orders given by Alex Tamba Brima to his subordinates to burn and loot civilian property;
- f. His presence when his subordinates engaged in wide-scale looting and burning; and
- g. Any matters arising from the evidence disclosed.

569. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof, *inter alia*:

- a. The fact that Brima Bazzy Kamara was present when his subordinates engaged in wide-scale looting and burning and did not prevent them nor did he take any action to punish the perpetrators; and
- b. Any other matters arising from the evidence disclosed.

Counts 14 – 17: Attacks on UNAMSIL Personnel

570. It is the prosecution theory of the case that between about 15 April 2000 and 15 September 2000 the AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers at various locations within Sierra Leone. The attacks included the unlawful killing of UNAMSIL peacekeepers and the abduction of hundreds of peacekeepers and humanitarian assistance workers (refer paragraph 80 indictment).

571. The evidence will demonstrate *inter alia* that:

- a. AFRC/RUF forces attacked UNAMSIL peacekeepers and humanitarian assistance workers in Makeni, Magburaka and Makoth;
- b. About 300 peacekeepers were abducted and detained; and
- c. A number of peacekeepers were killed.

Article 6.1 responsibility

572. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. That at the Makeni Demilitarization, Demobilisation and Reintegration (DDR) Camp Morris Kallon threatened peacekeepers and told them to dismantle the camp within 72 hours;
 - b. That orders were then passed over radio between Alex Tamba Brima and Foday Sankoh for the arrest of UNAMSIL personnel;
 - c. That Morris Kallon and Augustine Gbao were present when UN military observers were taken hostage, mistreated and tied together;
 - d. That Morris Kallon abducted the UN military observers and drove them to the RUF base at Tekko Barracks in Makeni;
 - e. That the Makeni DDR Camp was surrounded and attacked by the RUF under the command of Augustine Gbao;
 - f. That the RUF commander in the area erected checkpoints and posted AFRC/RUF personnel at the check points in order to cut off escape routes for UNAMSIL troops;
 - g. That Issa Hassan Sesay gave orders to Morris Kallon to mobilize men to attack the Kenyan peacekeepers in Magburaka;
 - h. That Issa Hassan Sesay supplied ammunition for the fight in Magburaka;
 - i. That Morris Kallon and Augustine Gbao communicated the orders to attack the UN peacekeepers in Magburaka;
 - j. That peacekeepers were abducted in both Magburaka and Makeni;
 - k. That Issa Hassan Sesay ordered that the movement of detained Zambian peacekeepers to Kono;
 - l. That Issa Hassan Sesay gave an instruction to arrest and hold UN personnel in Kailahun;

- m. That the release of the abducted UN personnel was negotiated by Issa Hassan Sesay; and
- n. Any matters arising from the evidence disclosed.

573. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel by Brima Bazzy Kamara, or his aiding and abetting thereof, or that resulted from the participation of Brima Bazzy Kamara in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

574. It is further the case for the prosecution that the attacks on UNAMSIL personnel were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Brima Bazzy Kamara.

Article 6.3 Responsibility

575. It is the prosecution theory of the case that Brima Bazzy Kamara held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

576. It is the prosecution theory of the case that the fact that Brima Bazzy Kamara knew or should have known that the attacks on UNAMSIL personnel were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the attacks on UNAMSIL personnel;

- b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- c. Any matters arising from the evidence disclosed.

577. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Brima Bazzy Kamara failed to take necessary and reasonable measures to prevent the attacks on UNAMSIL personnel or to punish the perpetrators thereof.

(c) SANTIGIE BORBOR KANU

General

578. Throughout the relevant period Santigie Borbor Kanu was a senior officer and commander in the RUF, Junta and AFRC/RUF forces (refer paragraphs 29 to 30 inclusive indictment filed 05.02.04).
579. It is the prosecution theory of the case that in relation to each count on the indictment Santigie Borbor Kanu is guilty pursuant to Article 6.1 of the Statute for crimes which he planned, instigated, ordered, committed or in whose planning, preparation or execution he otherwise aided and abetted, or which were within a joint criminal enterprise in which he participated and/or were a reasonably foreseeable consequence of the joint criminal enterprise in which he participated (refer paragraph 35 indictment). And, or alternatively, the prosecution submits that Santigie Borbor Kanu is guilty pursuant to Article 6.3 of the Statute of the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and he failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof (refer paragraph 36 indictment).

Count 1: Terrorizing the Civilian Population

580. It is the prosecution theory of the case that the crimes alleged in counts 3 to 13 inclusive were done as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone and did terrorize that population (refer paragraph 41 indictment).
581. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Santigie Borbor Kanu and count 1.

Count 2: Collective Punishments

582. It is the prosecution theory of the case that at various locations throughout Sierra Leone during the period covered by the indictment, the AFRC/RUF engaged in the crimes charged in counts 3 to 13 to punish the civilian population for allegedly supporting the elected government of President Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF (refer paragraph 41 indictment.)
583. The matters set out below in relation to counts 3 to 13 inclusive are relied upon as establishing the nexus between Santigie Borbor Kanu and count 2, particularly:
- a. The amputation of limbs by members of the AFRC/RUF in Freetown, Bombali, Kono and Koinadugu Districts where the civilian victims were told to “go to Kabbah” for new hands;
 - b. The crimes committed during attacks on Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina in Bombali District carried out in a single day because it was believed that the inhabitants belonged to the Mandingo ethnic group, the same ethnic group as President Kabbah, and
 - c. The crimes committed during attacks in various villages in Kenema, Bo and Kailahun Districts where it was perceived that the civilians were supporting and/or harbouring the CDF/Kamajors; and

- d. The burning of civilian property performed as part of the attacks on many villages throughout the various Districts of Sierra Leone and in Freetown and the Western Area.

Counts 3 – 5: Unlawful Killings

584. It is the prosecution theory of the case that victims were routinely shot, hacked to death and burned to death (refer paragraph 42 indictment).

BO DISTRICT

585. In June 1997 AFRC/RUF forces attacked five villages in Bo District: Sembehun, Tikonko, Mamboma, Gerihun and Telu. An unknown number of civilians were killed (refer paragraph 43 indictment).
586. The evidence will demonstrate *inter alia* that:
 - a. Sam Bockarie led the attack against Sembehun where at least 8 civilians were killed by soldiers who described themselves as the People's Army;
 - b. Sam Bockarie participated in the attack on Tikonko where SLA soldiers dressed in combat uniform killed at least 19 civilians;
 - c. SLA soldiers killed at least 3 civilians during the attack on Mamboma;
 - d. SLA/Junta forces killed at least 5 civilians during the attack on Gerihun; and
 - e. Sam Bockarie was present in Telu and gave orders to his soldiers before the attack in which several civilians were killed by RUF/SLA soldiers.

Article 6.1 responsibility

587. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- b. That after the AFRC/RUF came to power in May 1997 the AFRC/RUF warned civilians that they would not tolerate the harbouring of Kamajors;
- c. That Bo District was under control of the CDF/Kamajors for large periods of the conflict;
- d. That the Kamajors were present in Bo District during June 1997;
- e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
- f. That Sam Bockarie was heard to say that the Kamajor base in Telu must be destroyed;
- g. That during the Junta period Morris Kallon was present in Bo District, including at the AFRC/RUF base at Koribondu, and reported directly to Sam Bockarie;
- h. That prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko;
- i. That the civilians killed were not Kamajors;
- j. That the civilians killed included the Paramount Chief of Bo District; and
- k. Any matters arising from the evidence disclosed.

588. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by , or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

589. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

590. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
591. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. The announced AFRC position with respect to the harbouring of Kamajors;
 - b. His position of command and authority within the AFRC/RUF and the fact that his subordinates engaged in the killing of civilians;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The presence of Bockarie, the RUF Battlefield Commander, and troops in Bo District during June 1997;
 - e. Any matters arising from the evidence disclosed.
592. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KENEMA DISTRICT

593. Between 25 May 1997 and about 19 February 1998 an unknown number of civilians were killed in Kenema District (refer paragraph 44 indictment).
594. The evidence will demonstrate *inter alia* that:
- a. On the order of Sam Bockarie one civilian was beaten to death with strips of a rubber tyre;
 - b. At least 5 civilians, alleged to be CDF/Kamajor supporters, were tortured and killed on the order of Sam Bockarie;
 - c. Civilians were killed for allegedly stealing from other civilians;
 - d. Civilians were killed on a main street in Kenema Town by indiscriminate firing by AFRC/RUF forces; and
 - e. Many civilians were shot while mining diamonds for the AFRC/RUF in Cyborg Pit.

Article 6.1 responsibility

595. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The announcement of AFRC/RUF area leaders at a community meeting in Kenema that the civilians were to accept the AFRC/RUF government and that this government would “close the eyes forever” of anyone who did not cooperate;
 - c. That between May 1997 and February 1998 there was fighting between the AFRC/RUF and Kamajor forces in Kenema District;

- d. That a number of the civilians tortured and killed in Kenema District, including B S Massaquoi, were prominent in the community and were perceived by the AFRC/RUF to support the Kamajors;
 - e. That civilians were killed on a main street in Kenema Town when AFRC/RUF forces fired indiscriminately in retaliation for a previous CDF/Kamajor attack on an AFRC/RUF camp;
 - f. The regular visits of high level AFRC/RUF commanders to Tongo Field / Cyborg mining sites; and
 - g. Any matters arising from the evidence disclosed.
596. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
597. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

598. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

599. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - c. Any matters arising from the evidence disclosed.
600. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KONO DISTRICT

601. Between about 14 February 1998 and 30 June 1998 following their flight from Freetown the AFRC/RUF killed several hundred civilians in various locations in Kono District (refer paragraph 45 indictment).
602. The evidence will demonstrate *inter alia* that:
- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing” and “Operation Pay Yourself”;
 - b. Over 100 civilians were killed in Koidu Town;
 - c. Tombodu became known as a “killing zone” where dead bodies were thrown into a hole known as “Savage Pit”;
 - d. Many civilians were beheaded in Foindu and the severed heads carried were carried in a bag to Tombodu;
 - e. 32 people were shot in a house in Mortema;
 - f. Many civilians were burned alive in houses throughout the District; and

- g. Many civilians were killed through indiscriminate shooting in the diamond mines.

Article 6.1 responsibility

603. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The declaration of ownership of all mining areas in Sierra Leone by the AFRC/RUF during the Junta period;
 - c. The continuation of the AFRC/RUF alliance after the February 1998 ECOMOG intervention and the flight of the AFRC/RUF from Freetown;
 - d. The announcement by the AFRC/RUF leadership of “Operation Pay Yourself” during the retreat to Makeni and then Koidu;
 - e. The execution by the AFRC/RUF forces of “Operation No Living Thing” while the AFRC/RUF regrouped and controlled Koidu Town and Kono District following the ECOMOG intervention;
 - f. The settlement of AFRC/RUF forces in Kono District and specifically Koidu Town in 1998;
 - g. The meetings of senior AFRC/RUF commanders in Kono and Kaialhun Districts during this period which established a command structure for AFRC/RUF operations aimed primarily at maintaining control of Kono District;
 - h. That Issa Hassan Sesay told civilians at a public meeting in Koidu that he was present to ensure that diamonds were mined to finance the movement and that all civilians must cooperate;

- i. That at the same meeting Issa Hassan Sesay said that disciplinary measures would be taken against those working in the mines and the measures included execution;
- j. That the AFRC/RUF used diamonds mined from Kono District to fund arms, ammunition and medicine; and
- k. Any matters arising from the evidence disclosed.

604. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council;
 - b. The fact that during the junta period he was the second in charge in Kono district after Alex Tamba Brima;
 - c. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - d. His presence at a meeting in Tombudu Town following the arrival of Johnny Paul Koroma which all civilians were forced to attend and where four civilian men and two civilian women who attempted to run were killed by armed AFRC/RUF men in front of the crowd;
 - e. The fact that Santigie Borbor Kanu was present in a meeting held where the AFRC/RUF set up a command structure for Kono and where it was decided that operations would be serve as a “blocking force” against ECOMOG in order to maintain control of the Kono district;
 - f. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998; and
 - g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

605. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

606. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
607. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His presence and participation at planning meetings in the District as detailed above;
 - e. His presence at Tombudu Town at or around the time killings were being carried out by his subordinates; and
 - f. Any matters arising from the evidence disclosed.
608. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable

measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The fact that Santigie Borbor Kanu was informed about the killings at Tombudu and took no action; and
- b. Any matters arising from the evidence disclosed.

KAILAHUN DISTRICT

609. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Kailahun District (refer paragraph 46 indictment).

610. The evidence will demonstrate *inter alia*:

- a. That there was a mass killing of people accused of being Kamajors in Kailahun Town;
- b. The killing of 10 civilians in Buedu; and
- c. The shooting of 2 abducted boys because they were unable to carry loads.

Article 6.1 responsibility

611. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- b. The fact that following the ECOMOG intervention the main AFRC/RUF base was located in Kailahun and was the main point of contact and communication for the AFRC/RUF especially for allies in Liberia;

- c. Meetings of senior AFRC/RUF commanders in Kailahun District following the 1998 ECOMOG intervention which established command structures and gave military responsibility to Bockarie;
 - d. The mass killing in Kailahun Town of people accused of being Kamajors; and
 - e. Any matters arising from the evidence disclosed.
612. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
613. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

614. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
615. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

616. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

KOINADUGU DISTRICT

617. Between 14 February 1998 and 30 September 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Koinadugu District (refer paragraph 47 indictment).

618. The evidence will demonstrate *inter alia* that:

- a. There were widespread killings throughout Kono District as part of “Operation No Living Thing”;
- b. There was widespread killing of civilians from indiscriminate firing upon AFRC/RUF forces entering villages and towns within the District;
- c. In Katombo II 2 policemen were killed, gutted and their intestines pulled across a road as a checkpoint; and
- d. In various villages civilians were burned to death after being locked in houses, including 48 people in one house in Koinadugu Town and 41 people in one house in Yifin.

Article 6.1 responsibility

619. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and the AFRC/RUF leadership in Kailahun District;
 - d. The 1998 declaration of “Operation No Living Thing” by the AFRC/RUF;
 - e. The killing of babies belonging to abducted mothers because their crying was thought to reveal AFRC/RUF locations; and
 - f. Any matters arising from the evidence disclosed.
620. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council; and
 - b. The fact that Santigie Borbor Kanu was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that Santigie Borbor Kanu was amongst AFRC/RUF commanders who killed civilians at Dankawalli after the AFRC/RUF had been driven out of Kabala by ECOMOG;

- d. The fact that Santigie Borbor Kanu took part in the attack on Kabala; and
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

621. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

622. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

623. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- c. The communication and coordination between the AFRC/RUF in Koinadugu and the AFRC/RUF leadership in Kailahun;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- e. Any matters arising from the evidence disclosed.

624. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

BOMBALI DISTRICT

625. Between 1 May 1998 and 30 November 1998 the AFRC/RUF killed an unknown number of civilians in various locations in Bombali District (refer paragraph 48 indictment)
626. The evidence will demonstrate *inter alia* that:
- a. Civilians were killed with machetes during attacks on Karina and Bonyoyo;
 - b. The throats of a mother and son were cut in Daraya village;
 - c. A suckling mother was abducted and killed from Daraya village;
 - d. Eleven civilians were shot in Gbendubu Town;
 - e. A pregnant woman had her stomach slit open; and
 - f. Civilians were killed during attacks on Kamakwie Town.

Article 6.1 responsibility

627. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base at Rosos (or Rosors or Rossos) where Alex

Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu were present;

- c. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle Group in Rosos and Bockarie in Kailahun;
- d. That Bockarie sent troops to Alex Tamba Brima in Rosos;
- e. The AFRC/RUF belief that Karina was the home of President Kabbah;
- f. The AFRC/RUF belief that the villagers of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina belonged to the same ethnic grouping – Mandingo – as President Kabbah;
- g. The order of Alex Tamba Brima that the AFRC/RUF should make its mark on Karina and that no one should be spared;
- h. That the villages of Mayombo, Bonoyo (or Bonyoyo), Daraya and Karina were attacked in a single day and many civilians were killed, including about 8 civilians in Karina who were burned alive in a house;
- i. The ordering of “Operation Fearful the Area” by Alex Tamba Brima;
- j. The ordering of human sacrifices by Alex Tamba Brima;
- k. The order of Alex Tamba Brima that all civilians should be killed in Batmis;
- l. That after civilians had been killed in Gbendembu (or Gebendubu or Pendembu) Alex Tamba Brima ordered that an audio cassette be given to an amputated man who was then sent to Makeni to warn civilians to rise up against ECOMOG, and that any failure to cooperate would result in the people of Makeni meeting the same fate as those of Gbendembu; and
- m. Any matters arising from the evidence disclosed.

628. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council;

- b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
- c. The fact that Santigie Borbor Kanu participated in the attack against the villages of Mayombo, Bonoyo, Daraya and Karina;
- d. The fact that Santigie Borbor Kanu took part in the shooting in the attack on Karina;
- e. Any other matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

629. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

630. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

631. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and

- d. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
- e. His position as commander of attacking troops; and
- f. Any matters arising from the evidence disclosed.

632. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

633. Between 6 January 1999 and 28 February 1999 the AFRC/RUF killed an unknown number of civilians during armed attacks on the city of Freetown and the Western Area (refer paragraph 49 indictment).
634. The evidence will demonstrate *inter alia* that between 3000 and 5000 civilians were killed, including:
- g. 70 people in a mosque in Kissi;
 - h. The burning alive of civilians in houses;
 - i. The execution of civilians on the streets;
 - j. Deaths arising from large scale amputations; and
 - k. The killing of 15 babies in front of their mothers on the retreat from Freetown.

Article 6.1 responsibility

635. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
 - c. The purchase by Bockarie of arms and ammunitions for the Freetown offensive with diamonds in late 1998;
 - d. That commanders of AFRC/RUF groups or units operating in Freetown were ordered to kill people, including by burning them alive;
 - e. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - f. That specific orders were given to the AFRC/RUF by Alex Tamba Brima to kill civilians who were SLPP collaborators, police officers or surrendering soldiers;
 - g. The instruction given by Alex Tamba Brima to kill civilians and burn houses in an "Operation No Living Thing" once the AFRC/RUF lost Statehouse to ECOMOG; and
 - h. Any matters arising from the evidence disclosed.
636. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council;
 - b. The fact that prior to the invasion Santigie Borbor Kanu was in radio contact with ARFC/RUF commanders in other areas of the country coordinating the movement of troops;
 - c. The fact that Santigie Borbor Kanu was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained

in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;

- d. His presence as his subordinates were killing civilians at the Statehouse, in Kissy and throughout the retreat from Freetown;
- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

637. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

638. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.

639. It is the prosecution theory of the case that the fact that Issa Hassan Sesay knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
 - b. His position of commander of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and subsequently retreated from Freetown and the Western Area to the Port Loko District;
 - c. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;

- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- e. The fact that Santigie Borbor Kanu was present as his subordinates carried out his instructions to kill civilians at the Statehouse, in Kissy and throughout the retreat;
- f. His radio communications with Bockarie and Alex Tamba Brima;
- g. The desire of the AFRC/RUF to punish the civilian population of Freetown for the perceived support of President Kabbah and ECOMOG; and
- h. Any matters arising from the evidence disclosed.

640. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The fact that he took no action against his subordinates for the killings of civilians at the Statehouse, in Kissy and throughout the retreat from Freetown; and
- b. Any matters arising from the evidence disclosed.

PORT LOKO

641. Between February 1999 and April 1999 the AFRC/RUF as they fled from Freetown killed an unknown number of civilians in Port Loko District (refer paragraph 50 indictment).

642. The evidence will demonstrate *inter alia* that:

- a. Civilians were killed in Waterloo, Masiaka, Tendakum and Manaarma;
- b. Over 40 civilians were killed in Tendakum, many by being hacked to death; and
- c. Over 70 people were burned alive in a house in Manaarma.

Article 6.1 responsibility

643. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful civilian killings during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
 - b. That the killings occurred as the AFRC/RUF engaged in an organized retreat from Freetown towards Masiaka;
 - c. That Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, the senior commanders involved in the retreat, were in radio communication between senior RUF commanders, including Issa Hassan Sesay in Makeni and Sam Bockarie in Kailahun;
 - d. That Brima Bazzy Kamara held meetings in which he ordered the killing of civilians;
 - e. That even when the AFRC/RUF group reached Masiaka and split into 2 areas centred on Occra Hills and Lunsar, the groups stayed in communication with each other;
 - f. That senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - g. The scale of the killings in the attacks on the villages in Port Loko District, including in Tendakum where about 40 villagers were hacked to death and in Manaarma where 73 people were burned alive in a house;
 - h. The fact that those not killed in these villages were told to go to Kabbah and tell him what had happened; and
 - i. Any matters arising from the evidence disclosed.

644. It is the case for the prosecution that the planning, instigation, ordering or committing of unlawful killings by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council;
 - b. The fact that he was a senior AFRC/RUF commander involved during the retreat from Freetown;
 - c. That senior AFRC/RUF commanders including Alex Tamba Brima, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - d. His presence in Lunsar where he played football with Superman, and other commanders; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
645. It is further the case for the prosecution that the unlawful civilian killings were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

646. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the unlawful killings and had effective control over the subordinates.
647. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the unlawful killings were about to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the killing of civilians;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which engaged in widespread killing of civilians as part of a campaign of terror and collective punishment;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

648. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof.

Counts 6 – 8: Sexual Violence

649. It is the prosecution theory of the case that the AFRC/RUF committed widespread sexual violence against civilian women and girls (refer paragraph 51 indictment).

KONO DISTRICT

650. Between 14 February 1998 and 30 June 1998 members of the AFRC/RUF raped hundreds of women and girls at various locations in Kono District and abducted an unknown number of women and girls from various locations in Kono District and used them as sex slaves (refer paragraph 52 indictment).

651. The evidence will demonstrate *inter alia*:

- a. The gang rape of women in Koidu Town;
- b. The rape of a woman in Koidu Town 23 days after she had given birth;
- c. The widespread use of captured girls as “wives”
- d. The rape of 7 women at Sawa;

- e. The rape of women and girls found hiding in the bush in the District; and
- f. The rampant sexual abuse of women and girls at Cyborg Mining Pit.

Article 6.1 responsibility

652. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The presence of military training camps in Kono District, such as “Superman Camp” and Kissi-town (or Kissi Town) camp where large numbers of AFRC/RUF forces were present; and
- c. Any matters arising from the evidence disclosed.

653. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position as a senior commander of the AFRC, Junta and AFRC/RUF forces and a member of the AFRC Supreme Council;
- b. The fact that many girls captured from Kono were held in a house in February 1998 in Koidu and repeatedly raped, and the fact that Santigie Borbor Kanu was identified as being one of the rapists;
- c. The fact that Santigie Borbor Kanu and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu;

- d. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
- e. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
- f. His frequent presence in Kono District, including at military training camps, between February and September 1998; and
- g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

654. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

655. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
656. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - c. His presence at planning meetings in the District as detailed above;

- d. His frequent presence in Kono District, including at military training camps, between February and September 1998;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- f. Any matters arising from the evidence disclosed.

657. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

KOINADUGU DISTRICT

658. Between 14 February 1998 and 30 September 1998 members of the AFRC/RUF raped an unknown number of women and girls in various locations in Koinadugu District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 53 indictment).

659. The evidence will demonstrate *inter alia*:
- a. The rape and gang rape of women at various villages throughout the District;
 - b. The gang rape of one woman in Kabala that resulted in her death;
 - c. The forced marriage of about 50 girls abducted from Katombo; and
 - d. The sexual slavery of many women and girls in the area around Kurubonla.

Article 6.1 responsibility

660. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and

control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
- c. The physical violence that routinely accompanied sexual violence, such as amputations, stabbings, beatings, threats of death and the insertion of sticks or other foreign objects into vaginas;
- d. The ordering of young boys forcibly conscripted to the AFRC/RUF to carry out rapes, including the rapes of older women;
- e. The targeting of pregnant women, suckling mothers and virgins for sexual attack;
- f. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District; and
- g. Any matters arising from the evidence disclosed.

661. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that Santigie Borbor Kanu was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- b. His presence when his subordinates raped six women in Dankawalli after the AFRC/RUF had been driven out of Kabala by ECOMOG and took over control of Dankawalli; and

- c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

662. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

663. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.

664. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group and the fact that his subordinates engaged in sexual violence;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
- c. His presence when after the AFRC/RUF had been driven out of Kabala by ECOMOG and took over control in Dankawalli his subordinates raped six women in this place;
- d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;

- e. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
- f. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- g. Any matters arising from the evidence disclosed.

665. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The fact that Santigie Borbor Kanu took no action to prevent his subordinates from raping six women in Dankawalli and did not take any action afterwards to punish the perpetrators; and
- b. Any matters arising from the evidence disclosed.

BOMBALI DISTRICT

666. Between 1 May 1998 and 31 November 1998 members of the AFRC/RUF raped an unknown number of women and girls at various locations in Bombali District and abducted an unknown number of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 54 indictment).

667. The evidence will demonstrate *inter alia*:

- a. The rape of women captured from Mandaha;
- b. The public raping of young suckling mothers in Batmis;
- c. The gang rape of women and girls in Rosos;
- d. The abduction of women from Karina, who were stripped and tied together, taken to Rosos and made to “marry” rebels; and
- e. The gang rape of a 15 or 16 year old suckling mother in Makeni.

Article 6.1 responsibility

668. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos; and
 - c. Any matters arising from the evidence disclosed.
669. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred; and
 - c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
670. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

671. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
672. It is the prosecution theory of the case that the fact that Issa Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - c. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos where rapes and the use of abducted women as “wives” occurred;
 - d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - f. Any matters arising from the evidence disclosed.
673. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent sexual violence or to punish the perpetrators thereof.

KAILAHUN DISTRICT

674. At all times relevant to the indictment an unknown number of women and girls were subjected to sexual violence at various locations in Kailahun District. Many such women and girls were captured in other areas of Sierra Leone and brought to AFRC/RUF camps in Kailahun District and used as sex slaves (refer paragraph 55 indictment).
675. The evidence will demonstrate *inter alia*:
- a. The use of women as “wives” by the rebels in Beudu.

Article 6.1 responsibility

676. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The fact that many of the women and girls used as sex slaves were brought to Kailahun District from other parts of Sierra Leone;
 - c. The presence of training camps and the AFRC/RUF High Command in Kailahun District where large numbers of AFRC/RUF forces were present; and
 - d. Any matters arising from the evidence disclosed.
677. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

678. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

679. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
680. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.
681. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary

and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

682. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF raped hundreds of women and girls throughout the city of Freetown and the Western Area and abducted hundreds of women and girls and used them as sex slaves and subjected them to other forms of sexual violence (refer paragraph 56 indictment).
683. The evidence will demonstrate *inter alia*:
- a. The rape of hundreds of women and girls captured in Freetown;
 - b. The “marriage” to rebels of hundreds of women and girls who were abducted by the retreating AFRC/RUF forces; and
 - c. The gang rape of many girls and women at Benguima.

Article 6.1 responsibility

684. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - b. The fact that women and girls were taken to Statehouse, the headquarters of the AFRC/RUF during the Freetown invasion, where they were subjected to rape and other forms of sexual violence in the presence of the senior AFRC/RUF commanders;

- c. That on the retreat from Freetown hundreds of women and girls were abducted, forced to accompany the AFRC/RUF forces and raped; and
 - d. Any matters arising from the evidence disclosed.
685. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that prior to the invasion Santigie Borbor Kanu was in radio contact with ARFC/RUF commanders in other areas of the country coordinating the movement of troops;
 - c. The fact that Santigie Borbor Kanu was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
 - d. His presence when at the Statehouse and in Kissy area his subordinates rape and sexually abused women they had captured;
 - e. His presence when in the retreat through Kissy, Wellington, Calaba town and the Western area women were raped and sexually abused by his subordinates; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
686. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

687. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
688. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy, the fact that he was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area and the fact that his subordinates engaged in sexual violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - c. His presence when, at the Statehouse and in Kissy area, his subordinates rape and sexually abused women they had captured;
 - d. His presence when, in the retreat through Kissy, Wellington, Calaba town and the Western area, women were raped and sexually abused by his subordinates;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - f. Any matters arising from the evidence disclosed.
689. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable

measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:

- a. The fact that he did not try to prevent the rapes committed by his subordinates at the Statehouse, in Kissy and throughout the retreat from Freetown nor did he take any action against his subordinates; and
- b. Any matters arising from the evidence disclosed.

PORT LOKO DISTRICT

690. Between February 1999 and April 1999 an unknown number of women and girls were subjected to sexual violence at various locations in the Port Loko District by members of the AFRC/RUF as the AFRC/RUF fled from Freetown (refer paragraph 57 indictment).

691. The evidence will demonstrate *inter alia*:

- a. The rape of many women in Tendakum by rebels in “booths”
- b. The rape of 4 women abducted from Malabe village;
- c. The rape of one woman by Santigie Borbor Kanu; and
- d. The forced marriage of abducted women.

Article 6.1 responsibility

692. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence against civilian women and girls during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;

- b. That hundreds of girls and women were abducted from Freetown and forced to accompany the retreating AFRC/RUF forces and were subjected to sexual violence Port Loko District;
 - c. That more women and girls from Port Loko District were subjected to organized sexual violence, including in Tendakum where the AFRC/RUF rebels created a list of captured civilians following which they were told to take whatever women they wanted for “wives”;
 - d. That senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - e. That while in Masiaka Santigie Borbor Kanu had three “wives” from amongst the abducted women and girls;
 - f. That women subjected to sexual slavery were present at the AFRC/RUF camp at Lunsar where senior AFRC/RUF commanders, including Superman, were based; and
 - g. Any matters arising from the evidence disclosed.
693. It is the case for the prosecution that the planning, instigation, ordering or committing of sexual violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that he was a senior AFRC/RUF commander involved during the retreat from Freetown;
 - c. The fact that in Sumbaya village he raped a 14 years old girl who was abducted and kept in the village for two weeks;
 - d. His presence in Masiaka and the fact that during his time there he had more than three wives who were captured during the January 6th invasion of Freetown;

- e. That senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
- f. His presence in Lunsar where he played football with Superman, and other commanders; and
- g. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

694. It is further the case for the prosecution that sexual violence against civilian women and girls was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

695. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in sexual violence and had effective control over the subordinates.
696. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the sexual violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The fact that he was a senior AFRC/RUF commander involved during the retreat from Freetown;
 - c. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;

- d. The fact that some complaints made by girls raped in Masiaka reached Issa Hassan Sesay and Santigie Borbor Kanu;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- f. Any matters arising from the evidence disclosed.

697. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the sexual violence or to punish the perpetrators thereof because, *inter alia*:

- a. The fact that Santigie Borbor Kanu told the women who were complaining about rapes that the men were their husbands; and
- b. Any matters arising from the evidence disclosed.

Counts 9 – 10: Physical Violence

698. It is the prosecution theory of the case that physical violence, including mutilations, were committed by the AFRC/RUF against civilians (refer paragraph 58 indictment).

KONO DISTRICT

699. Between 14 February 1998 and 30 June 1998 the AFRC/RUF mutilated an unknown number of civilians in various locations in Kono District. The mutilations included cutting off limbs and carving “AFRC” and “RUF” on the bodies of civilians (refer paragraph 59 indictment).

700. The evidence will demonstrate that *inter alia*:
- a. The amputation of many civilians throughout Kono District, including the amputation of 6 men captured from Sawa which was observed by captured women forced to clap and laugh by the AFRC/RUF soldiers;
 - b. The marking of 15 captives in Yomandu by sword blades with “RUF” and “AFRC”; and

- c. The marking by razor blade of 10 to 15 civilians with “RUF” who had attempted to escape in Tombodu.

Article 6.1 responsibility

701. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
 - c. The large numbers of abducted civilians in Kono District, both at military camps and diamond mines;
 - d. The instructions of Alex Tamba Brima to AFRC/RUF troops prior to an advance towards Koinadugu that they were going to take revenge on the civilian population because the civilians had betrayed them; and
 - e. Any matters arising from the evidence disclosed.
702. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;

- c. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders in Kono from Bombali District approximately one week after the start of the ECOMOG intervention;
 - d. His presence at the military training camps in Kono District during this period; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
703. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

704. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
705. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
 - c. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;

- d. His frequent presence in Kono District between February and September 1998
- e. His presence at planning meetings in the District as detailed above;
- f. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- g. Any matters arising from the evidence disclosed.

706. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KENEMA DISTRICT

707. Between 25 May 1997 and 19 February 1998 AFRC/RUF members carried out beatings and ill-treatment of civilians in custody in various locations in Kenema District (refer paragraph 60 indictment).

708. The evidence will demonstrate *inter alia*:
- a. The torture of civilian captives in Kenema Town carried out on the order of Sam Bockarie; and
 - b. The beating and physical punishment of civilians at Cyborg Mining Pit

Article 6.1 responsibility

709. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;

- b. That the beatings and ill-treatment of civilians in custody were carried out on the orders of Bockarie, the then de facto leader of the RUF, and targeted at civilians perceived to be a threat to the AFRC/RUF government; and
 - c. Any matters arising from the evidence disclosed.
710. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
 - b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
711. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

712. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
713. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;

- b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

714. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

KOINADUGU DISTRICT

715. Between about 14 February 1998 and 30 September 1998 members of the AFRC/RUF mutilated an unknown number of civilians at various locations in Koinadugu District. The mutilations included cutting off limbs and carving “AFRC” on the chests and foreheads of the civilians (refer paragraph 61 indictment).

716. The evidence will demonstrate *inter alia*:
- a. That civilians were amputated at various locations in the District, a number of whom were given a letter and told to “go to Kabbah”;
 - b. The amputation of a 6 year old girl in Koneibaia; and
 - c. The marking of “RUF” by razor blade on the forehead of 3 men in Koneibaia.

Article 6.1 responsibility

717. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from

the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, in which abducted civilians were given markings of “AFRC” and/or “RUF” with razors, cutlasses or knives to identify captives and discourage escape;
- a. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu district throughout 1998;
- c. The fact that civilians amputated by AFRC/RUF forces were given letters to take to President Kabbah and/or told to go to Kabbah to ask for their limb back;
- d. That hundreds of children underwent military training at Koinadugu Town and Serekolia, many of whom were given “AFRC” and/or “RUF” markings; and
- e. Any matters arising from the evidence disclosed.

718. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of authority and command within the AFRC/RUF hierarchy;
- b. The fact that Santigie Borbor Kanu was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- c. The fact that the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun;

- d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

719. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

720. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

721. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in sexual violence;
- b. His position of Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - a. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - d. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun; and
 - e. Any matters arising from the evidence disclosed.

722. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary

and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

BOMBALI DISTRICT

723. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Bombali District. The mutilations included cutting off limbs (refer paragraph 62 indictment).

724. The evidence will demonstrate *inter alia*:

- a. The amputation of civilians in Lohindi village;
- b. The beating of a civilian with a rubber “Cobra” in Makeni;
- c. The amputation of 4 men near Batkanu village;
- d. The double amputation of a woman in Batmis on the order of Bockarie as punishment for the escape of other civilians;
- e. The double amputation of 2 men in the bush between Makeni and Mateboi; and
- f. The amputation of 7 men in Karina village.

Article 6.1 responsibility

725. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
- b. That many civilians in Karina, the home of President Kabbah, had their limbs cut off;

- c. That at least one of the civilians amputated in Lohondi was told to go to Tejan Kabbah who would give him a new hand;
 - d. That at least two civilians amputated in Mateboi were told to tell ECOMOG and Kabbah that the AFRC/RUF were coming and to give them hands;
 - e. That the AFRC/RUF attacked the Batkuna and Sanda areas where the hands of civilians were amputated;
 - f. The launching of "Operation Fearful the Area" which included systematic amputations;
 - g. That a man who had been amputated by the AFRC/RUF forces in Gbendembu (or Gbendubu or Pendembu) was, on the order of Alex Tamba Brima, given an audio cassette and told to take it to Makeni to give a warning to civilians there to rise up against ECOMOG and that any failure to cooperate with the AFRC/RUF would result in the same fate for the people of Makeni as those of Gbendembu; and
 - h. Any matters arising from the evidence disclosed.
726. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. The fact that he was one of the Commanders in charge of Rosos;
 - c. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - d. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

727. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

728. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.

729. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to amputations, both as a revenge for perceived support of President Kabbah and as a tool of instilling fear in the civilian population;
- b. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
- c. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- e. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group and Bockarie in Kailahun;
- f. His position as a senior commander of the AFRC/RUF in charge of the camp at Rosos Any matters arising from the evidence disclosed.

730. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary

and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

731. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various areas of the city of Freetown and the Western Area. The mutilations included cutting of limbs (refer paragraph 63 indictment).
732. The evidence will demonstrate *inter alia*:
- a. That the AFRC/RUF executed “Operation Cut Hand” and “Operation Cut Limbs” whilst in Freetown;
 - b. The amputation of hundreds of civilians, often in groups, on the streets of Freetown, such as a group of 10 men amputated at a rebel base on Fararama Street; and
 - c. That on the retreat from Freetown at Kambia a pregnant woman was cut with a pair of scissors between her anus and vagina after she began bleeding black and the AFRC/RUF rebels began arguing whether her fetus was a boy or a girl.

Article 6.1 responsibility

733. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;

- b. The meeting of senior AFRC/RUF commanders in Kailahun District in December 1998 which planned the attacks on Koidu and Makeni as precursors to the invasion of Freetown;
 - c. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - d. That AFRC/RUF forces operating in Freetown were ordered by Alex Tamba Brima to amputate the hands that people used to vote for President Kabbah; and
 - e. Any matters arising from the evidence disclosed.
734. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that prior to the invasion Santigie Borbor Kanu was in radio contact with ARFC/RUF commanders in other areas of the country coordinating the movement of troops;
 - c. The fact that Santigie Borbor Kanu was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
 - d. His presence when especially after the first two weeks of the invasion of Freetown widespread physical violence was carried out during attacks on the civilian population, including organized amputations of men, women and children; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

735. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

736. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
737. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy, and the fact that his subordinates engaged in physical violence;
 - b. The fact that he was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
 - c. His presence when especially after the first two weeks of the invasion of Freetown widespread physical violence was carried out during attacks on the civilian population, including organized amputations of men, women and children;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected women to rape and other forms of sexual violence and routinely distributed captured women amongst rebels to serve the sexual needs of the AFRC/RUF forces;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;

- f. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
- g. Any matters arising from the evidence disclosed.

738. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the unlawful killings or to punish the perpetrators thereof because, *inter alia*:
- a. The fact that he did not try to prevent the physical violence and amputations committed by his subordinates against the civilians nor did he take any action against his subordinates; and
 - b. Any matters arising from the evidence disclosed.

PORT LOKO

739. Between February 1999 and April 1999 members of the AFRC/RUF mutilated an unknown number of civilians in various locations in Port Loko District. The mutilations included cutting off limbs (refer paragraph 64 indictment).
740. The evidence will demonstrate *inter alia* that:
- a. Civilians were amputated in Manaarma;
 - b. "RUF" was marked on the chest of a civilian in Tendakum; and
 - c. An infant was pushed into a cooking fire in Nonkoba.

Article 6.1 responsibility

741. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence against civilians during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - b. That the AFRC/RUF intended to punish the civilian population for its perceived support of President Kabbah and ECOMOG;
 - c. That Brima Bazzy Kamara held meetings during which he ordered AFRC/RUF forces to beat civilians who wanted to escape;
 - d. That civilians amputated in Manaarma were told to go to Kabbah and tell him what had happened and to tell the people of Port Loko that the rebels were coming; and
 - e. Any matters arising from the evidence disclosed.
742. It is the case for the prosecution that the planning, instigation, ordering or committing of physical violence by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that he was a senior AFRC/RUF commander involved during the retreat from Freetown;
 - c. His presence in Lunsar where he played football with Superman, and other commanders;
 - d. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown;
 - e. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
 - f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

743. It is further the case for the prosecution that physical violence against civilians was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

744. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in physical violence and had effective control over the subordinates.
745. It is the prosecution theory of the case that the fact that Issa Hassan Sesay knew or should have known that the physical violence was to be committed can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in physical violence;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which subjected civilians to physical violence, both as a punishment and as a tool of instilling fear in the civilian population;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. The AFRC/RUF policy to punish civilians for their support of President Kabbah; and
 - e. Any matters arising from the evidence disclosed.
746. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the physical violence or to punish the perpetrators thereof.

Count 11: Use of Child Soldiers

747. It is the prosecution theory of the case that at times relevant to the indictment, the AFRC/RUF routinely conscripted boys and girls under the age of 15 to participate in active hostilities (refer paragraph 65 indictment).

748. The evidence will demonstrate *inter alia* that:

- a. Thousands of children were abducted from all over Sierra Leone;
- b. Thousands of children underwent military training at AFRC/RUF camps;
- c. Children were formed into Small Boys Units and Small Girls Units; and
- d. Armed Small Boys Units and Small Girls Units were used in combat.

Article 6.1 responsibility

749. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of boys and girls under the age of 15, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
- a. The advice of Charles Taylor to Foday Sankoh that soldiers trained from childhood are very loyal;
- b. The teaching and instruction of Foday Sankoh that even children have the right to bear arms (reference to A Footpath to Democracy??);
- c. The widespread abduction of children by AFRC/RUF forces;
- d. The military camps set up to train children in the use of weaponry;
- e. The drugging of child soldiers by the AFRC/RUF;
- f. The widespread use of children to carry ammunition for AFRC/RUF troops during attacks;
- g. The establishment of Small Boys Units and Small Girls Units; and
- h. Any matters arising from the evidence disclosed.

750. It is the case for the prosecution that the planning, instigation, ordering or committing of the conscription of children by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that he was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
 - c. The use of armed child soldiers in the January 1999 Freetown invasion and the fact that Small Boys were part of the AFRC/RUF force that entered and retreated from Freetown;
 - d. The establishment of a military training camp at Rosos in Bombali District where children under the age of 15 were given military training and the fact that Santigie Borbor Kanu was in charge of it;
 - e. His presence during attacks where child soldiers were used;
 - f. The fact that Santigie Borbor Kanu gave specific orders for food-finding missions using children under the age of 15 in Rosos, Bombali District;
 - g. The training of hundreds of children at Koinadugu Town and Kerekolia who were later used in active hostilities; and
 - h. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
751. It is further the case for the prosecution that the conscription of children was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

752. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the conscription of children and had effective control over the subordinates.
753. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the conscription of children was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the conscription of children;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, which routinely conscripted, enlisted and/or used boys and girls under age of 15 to participate in active hostilities;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - d. His position as a commander at the Rosos camp in Bombali District;
 - e. His presence during attacks where child soldiers were used notably during the Freetown invasion where many of his subordinates were children under the age of 15; and
 - f. His specific orders to use children under the age of 15 for food-finding missions;
 - g. Any matters arising from the evidence disclosed.
754. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the conscription of children or to punish the perpetrators thereof.

Count 12: Abductions and Forced Labour

755. It is the prosecution theory of the case that the AFRC/RUF engaged in widespread and large scale abductions of civilians and the use of civilians as forced labour (refer paragraph 66 indictment).

KENEMA DISTRICT

756. Between 1 August 1997 and 31 January 1998 the AFRC/RUF forced an unknown number of civilians to mine for diamonds at Cyborg Pit in Tongo Field (refer paragraph 67 indictment).

757. The evidence will demonstrate *inter alia* that:
- a. An attack led by Sam Bockarie in August 1997 in Tongo field resulted in the capture of many civilians who were forced to mine without pay and under armed guard at Cyborg Pit;
 - b. The AFRC/RUF would fire randomly at Cyborg Pit to terrorize the civilians into submission; and
 - c. The civilian miners were subject to physical discipline.

Article 6.1 responsibility

758. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kenema District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
 - b. The need in Kenema District to establish a workforce sufficient to mine diamonds at the Tongo diamond fields, including the Cyborg Pit;
 - c. The conditions under which civilians were used to mine diamonds, including the use of physical violence and death as punishments and that no civilians were paid for the work performed; and

d. Any matters arising from the evidence disclosed.

759. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His knowledge of the forced civilian mining labour used in Kono District; and
- c. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

760. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

761. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

762. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that civilians were to be used to mine diamonds can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;

- b. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to work for AFRC/RUF forces;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. His knowledge of the forced civilian mining labour used in Kono District;
- e. His frequent visits to Tongo Fields to collect diamonds; and
- f. Any matters arising from the evidence disclosed.

763. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KONO DISTRICT

764. Between 14 February 1998 and 30 June 1998 AFRC/RUF forces abducted hundreds of civilians and took them to various locations, both within and outside Kono District, where they were used as forced labour (refer paragraph 68 indictment).

765. The evidence will demonstrate *inter alia* that:

- a. Civilians were captured from Sulukundu and taken to Koidu Town where they were forced to perform domestic labour; and
- b. Civilians, including children, abducted from Farandu were forced to carry looted items.

Article 6.1 responsibility

766. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. The need in Kono District to establish a workforce sufficient to mine diamonds;
- c. The public meeting in Koidu where Issa Hassan Sesay told civilians that they must cooperate with the AFRC/RUF to mine diamonds for the movement;
- d. The rules for the civilian mining workforce established by Issa Hassan Sesay which included that no one was to be paid, laziness would be punished by public flogging and anyone stealing a diamond would be executed; and
- e. Any matters arising from the evidence disclosed.

767. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*;

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that Santigie Borbor Kanu and other senior AFRC/RUF commanders took as “wives” women abducted from villages including Tombudu who were forced to perform, *inter alia*, domestic chores;
- c. His presence at military camps and AFRC/RUF bases where civilians were forced to carry goods and perform domestic labour; and
- d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

768. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political

power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

769. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
770. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. His position of responsibility and command in the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;
 - c. The need in Kono District to establish a workforce sufficient to mine diamonds;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - e. Any matters arising from the evidence disclosed.
771. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KOINADUGU DISTRICT

772. Between about 14 February 1998 and 30 September 1998 at various locations in Koinadugu District members of the AFRC/RUF abducted an unknown number of civilians and used them as forced labour (refer paragraph 69 indictment).
773. The evidence will demonstrate *inter alia* that:
- a. Civilians captured near Kasimbeck village were forced to carry looted food and pound rice;
 - b. About 10 civilians were captured from Kamadugu Sokurala village; and
 - c. A number of civilians were captured from Koneibaia village and forced to carry food and other items.

Article 6.1 responsibility

774. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That large AFRC/RUF training bases established at Koinadugu Town and Serekolia used forced civilian labour;
 - c. That attacks carried out in Koinadugu District used forced civilian labour to carry goods and ammunition;
 - d. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
 - e. Any matters arising from the evidence disclosed.

775. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of authority and command within the AFRC/RUF hierarchy;
 - b. The fact that Santigie Borbor Kanu was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - c. The fact that the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
 - d. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
776. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

777. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
778. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction and use of forced labour;
- c. The fact that he was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
- d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- e. That the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu was in regular communication with Bockarie in Kailahun; and
- f. Any matters arising from the evidence disclosed.

779. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

BOMBALI DISTRICT

780. Between about 1 May 1998 and 31 November 1998 members of the AFRC/RUF abducted an unknown number of civilians from Bombali District and used them as forced labour (refer paragraph 70 indictment).

781. The evidence will demonstrate *inter alia* that:

- a. Civilians were abducted from Daraya Village and forced to carry goods;
- b. During the attack on Kamabai the AFRC/RUF rebels had about 100 abducted civilians with them; and
- c. Civilians captured at Malama were brought to Batmis and forced to pound rice and fetch water.

Article 6.1 responsibility

782. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. That civilians were abducted during the attack on Karina and were forced to carry goods from village to village as the AFRC/RUF made its way to Rosos;
 - c. That an AFRC/RUF training camp was operated at Rosos under the command of Alex Tamba Brima and that abducted women and children were used to perform various domestic tasks for the camp including cleaning, cooking and laundry and abducted civilian men were used for pounding rice and carrying loads obtained during AFRC/RUF attacks on neighbouring villages;
 - d. That abducted civilian men and children were used on “food finding missions” from the Rosos camp;
 - e. That the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun; and
 - f. Any matters arising from the evidence disclosed.
783. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of authority and command within the AFRC/RUF hierarchy;
- b. His position as a commander of the camp at Rosos;
- c. The fact that while in Rosos, AFRC/RUF troops under the command of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu used civilian men and women whom they abducted to participate in food-finding missions and the fact that Santigie Borbor Kanu gave specifics orders for such food-finding missions;
- d. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
- e. The communications between the AFRC/RUF soldiers who became known as the Northern Jungle Group based in Rosos and Bockarie in Kailahun; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

784. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

785. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.
786. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;
- c. His position as a commander of the camp at Rosos;
- d. The fact that while in Rosos, AFRC/RUF troops under the command of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu used civilian men and women whom they abducted to participate in food-finding missions;
- e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- f. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
- g. The fact the AFRC/RUF soldiers who became known as the Northern Jungle group based in Rosos was in regular communication with Bockarie in Kailahun; and
- h. Any matters arising from the evidence disclosed.

787. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

KAILAHUN DISTRICT

788. At all times relevant to the indictment the AFRC/RUF brought civilians to various locations within Kailahun District and used them as forced labour (refer paragraph 71 indictment).

789. The evidence will demonstrate *inter alia* that:

- a. Over 200 civilians were captured in Pendembu and forced to work;
- b. Over 500 civilians were brought to Kailahun from all over Sierra Leone; and
- c. Civilians were forced to carry loads of ammunition and other goods, work on the rice farm of Bockarie and Morris Kallon and perform domestic labour.

Article 6.1 responsibility

790. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Kailahun District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. The need in Kailahun District to establish a workforce sufficient to mine diamonds;
- c. The fact that Kailahun District was a significant base for the AFRC/RUF and large numbers of civilians were required to perform labour for the AFRC/RUF High Command and forces; and
- d. Any matters arising from the evidence disclosed.

791. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and

- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

792. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

793. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

794. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour were to occur can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- d. Any matters arising from the evidence disclosed.

795. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

796. Between 6 January 1999 and 28 February 1999 members of the AFRC/RUF abducted hundreds of civilians from various areas in Freetown and the Western Area and used them as forced labour (refer paragraph 72 indictment).
797. The evidence will demonstrate *inter alia* that:
- a. Thousands of civilians were abducted by the retreating AFRC/RUF forces and forced to carry ammunition and looted goods; and
 - b. Abducted civilians were forced to perform domestic labour at various locations on the retreat.

Article 6.1 responsibility

798. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
 - c. The scale of abductions as the AFRC/RUF retreated from Freetown; and
 - d. The direct order given by Alex Tamba Brima to his subordinates as the AFRC/RUF retreated from Freetown to abduct civilians; and
 - e. Any matters arising from the evidence disclosed.
799. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of

Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that prior to the invasion Santigie Borbor Kanu was in radio contact with AFRC/RUF commanders in other areas of the country coordinating the movement of troops;
- c. The fact that Santigie Borbor Kanu was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
- d. The fact that Santigie Borbor Kanu gave orders to his subordinates to abduct civilians as the AFRC/RUF was retreating from Freetown, including young girls;
- e. The fact that Santigie Borbor Kanu was present in the retreat through Kissy, Wellington, Calaba Town and the Western Area as civilians were forced to carry loads; and
- f. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

800. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

801. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

802. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;
 - b. The fact that he was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area;
 - c. His presence during the retreat through Kissy, Wellington, Calaba Town and the Western area when his subordinates abducted civilians and forced them to carry loads;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - e. Any matters arising from the evidence disclosed.
803. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

PORT LOKO

804. During February 1999 members of the AFRC/RUF used civilians, including those abducted from Freetown and the Western Area, as forced labour within Port Loko District. The AFRC/RUF forces also abducted civilians from Port Loko District and used them as forced labour (refer paragraph 73 indictment).
805. The evidence will demonstrate *inter alia* that:
- a. Captured civilians were taken to Lunsar and forced to perform domestic work.

Article 6.1 responsibility

806. It is the case for the prosecution that the planning, instigation, ordering or committing of the use of civilians as forced labour during the attacks in Port Loko District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
 - b. The need of the retreating AFRC/RUF forces to have “manpower” to carry goods;
 - c. The direct order given by Brima Bazzy Kamara to abduct civilians; and
 - d. Any matters arising from the evidence disclosed.
807. It is the case for the prosecution that the planning, instigation, ordering or committing of the use civilians as forced labour by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. The fact that he was a senior AFRC/RUF commander involved during the retreat from Freetown;
 - c. His presence at camps and AFRC/RUF bases with Superman and other commanders where civilians were forced to carry goods and perform domestic labour, including Lunsar in Port Loko District;
 - d. The fact that senior AFRC/RUF commanders including Issa Hassan Sesay, Brima Bazzy Kamara, Santigie Borbor Kanu and others attended a meeting in Masiaka following the retreat from Freetown; and

- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

808. It is further the case for the prosecution that the use of forced civilian labour was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

809. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the abduction and use of civilians as forced labour and had effective control over the subordinates.

810. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that abductions and forced labour was to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in abduction of civilians and used them as forced labour;
- b. The overall conduct of the AFRC/RUF, not limited to any one District, which abducted civilians and forced them to carry goods and perform domestic labour for AFRC/RUF forces;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. His presence at camps and AFRC/RUF bases where civilians were forced to carry goods and perform domestic labour, including Lunsar in Port Loko District; and
- e. Any matters arising from the evidence disclosed.

811. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent abductions and the use of forced labour or to punish the perpetrators thereof.

Count 13: Looting and Burning

812. It is the prosecution theory of the case that at all times relevant to the indictment the AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property (refer paragraph 74 indictment).

BO DISTRICT

813. In June 1997 AFRC/RUF forces looted and burned an unknown number of civilian houses in four villages in Bo District (refer paragraph 75 indictment).
814. The evidence will demonstrate *inter alia* that:
- a. Sam Bockarie gave orders to his soldiers prior to and was present when the attack on Telu resulted in the burning of about 50 civilian houses;
 - b. Sam Bockarie led the attack against Sembahun in which soldiers who described themselves as the People's Army looted items on trucks and burned at least 47 civilian houses;
 - c. At least 26 civilian houses were burned in Mamboma and looted goods were placed in vehicles;
 - d. Sam Bockarie participated in the attack on Tikonko where items were looted and civilian house were burned; and
 - e. Morris Kallon looted bank property.

Article 6.1 responsibility

815. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bo District, or the aiding and abetting thereof, or that resulted from the common

plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:

- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- b. That after the AFRC/RUF came to power in May 1997 the AFRC warned civilians that they would not tolerate the harbouring of Kamajors;
- c. That Bo District was under control of the CDF/Kamajors for large periods of the conflict;
- d. That the Kamajors were present in Bo District during June 1997;
- e. That Sam Bockarie, a senior member of the AFRC/RUF governing body, was present in Bo District and directly controlled at least 3 of the attacks on Bo District villages;
- f. That Sam Bockarie, was heard to say that the Kamajor base in Telu must be destroyed;
- g. That in 1997 and 1998 Morris Kallon was based in Bo and reporting directly to Sam Bockarie;
- h. That prior to the attack on Tikonko the AFRC/RUF announced over the radio that they were going to attack Tikonko; and
- i. Any matters arising from the evidence disclosed.

816. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of command and responsibility within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

817. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

818. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
819. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. His position of authority and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
 - c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - d. Any matters arising from the evidence disclosed.
820. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KOINADUGU DISTRICT

821. Between 14 February 1998 and 30 September 1998 AFRC/RUF forces engaged in widespread looting and burning in various locations in Koinadugu district (refer paragraph 76 indictment).
822. The evidence will demonstrate *inter alia* that:
- a. Many houses in Kalaba Town were burnt;
 - b. Food was taken by AFRC/RUF forces from Kasimbeck village;
 - c. Houses were burnt down and goods were looted from Koinadugu Town;
 - d. That many houses in Yifin were burnt;
 - e. Food was taken by AFRC/RUF forces from Koneibaia; and
 - f. All the houses in Koidu Town except the mosque were burnt.

Article 6.1 responsibility

823. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Koinadugu District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The organized “food finding missions” within the District in which items such as chickens, goats, palm oil and rice were taken from civilians and returned to AFRC/RUF bases;
 - c. That public buildings and private dwellings were burned in every village attacked by the AFRC/RUF;
 - d. That prior to the burning in Kalaba Town the AFRC/RUF said that it was as revenge for support for Kabbah;
 - e. That Yifin was burned to the ground; and
 - f. Any matters arising from the evidence disclosed.

824. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The AFRC/RUF announcement of “Operation No Living Thing”;
 - c. His position of responsibility and command within the AFRC/RUF hierarchy;
 - d. The fact that Santigie Borbor Kanu was Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group; and
 - e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.
825. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

826. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

827. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in burning and looting;
 - c. His position as Unit Commander of the Western Section of the AFRC/RUF soldiers who became known as the Northern Jungle group;
 - a. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle group in Koinadugu District throughout 1998;
 - b. The communication between the AFRC/RUF soldiers who became known as the Northern Jungle group and Bockarie in Kailahun District;
 - d. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - e. Any matters arising from the evidence disclosed.
828. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

KONO DISTRICT

829. Between about 14 February 1998 and 30 June 1998 the AFRC/RUF engaged in widespread looting and burning in various locations in Kono District (refer paragraph 77 indictment).
830. The evidence will demonstrate *inter alia* that:
- a. "Operation Pay Yourself" took place in Kono District; and

- b. Many villages in the District were looted.

Article 6.1 responsibility

831. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Kono District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
 - c. Any matters arising from the evidence disclosed.
832. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy;
 - b. His participation in meetings with other senior AFRC/RUF commanders in Kono in February/March 1998;
 - c. The arrival of Santigie Borbor Kanu, along with other senior AFRC/RUF commanders in Kono from Bombali District;
 - d. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and

- e. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

833. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

834. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.

835. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in looting and burning;
- b. His presence at planning meetings in the District as detailed above;
- c. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
- d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
- e. The announcement of “Operation Pay Yourself” in which AFRC/RUF troops were encouraged to loot food items and personal goods from civilians; and
- f. Any matters arising from the evidence disclosed.

836. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

BOMBALI DISTRICT

837. Between about 1 March 1998 and 31 November 1998 AFRC/RUF forces burnt an unknown number of civilian buildings in various locations in Bombali District (refer paragraph 78 indictment).
838. The evidence will demonstrate *inter alia* that:
- a. Karina was frequently looted and many houses there were burnt; and
 - b. Various “food finding” missions were carried out throughout the District.

Article 6.1 responsibility

839. It is the case for the prosecution that the planning, instigation, ordering or committing looting and burning of civilian property during the attacks in Bombali District, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. That organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
 - c. That Alex Tamba Brima ordered that every house in Karina, including the home of President Kabbah, be burnt down;
 - d. That during the AFRC/RUF attacks on Mandaha, Lohondi, Mateboi, Mafabu and Malama en route to Rosos, many houses were burnt;
 - e. That the entire village of Gbonkonaba was burned;

- f. That dwellings in Gbendembu (or Gbendubu or Pendembu) were burned immediately before the AFRC/RUF sent an audio cassette with a civilian who had been amputated to Makeni warning the civilians of Makeni that they would meet a similar fate if they failed to rise up against EGOMOG and cooperate with the AFRC/RUF;
- g. That the AFRC/RUF group in Bombali District was in contact with Bockarie in Kailahun; and
- h. Any matters arising from the evidence disclosed.

840. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. His position as a senior commander at Rosos camp;
- c. The fact that organized food missions were sent out from the AFRC/RUF camp at Rosos where Alex Tamba Brima, Brima Bazzy Kamara and Santigie Khanu were based;
- a. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

841. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

842. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
843. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in burning and looting;
 - b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes;
 - c. His position as a senior commander at Rosos camp from where food finding missions were sent;
 - d. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - e. The presence of the AFRC/RUF soldiers who became known as the Northern Jungle Group base and military training camp in Rosos;
 - f. The communication between the AFRC/RUF in Bombali District and Bockarie in Kailahun; and
 - g. Any matters arising from the evidence disclosed.
844. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent looting and burning or to punish the perpetrators thereof.

FREETOWN AND THE WESTERN AREA

845. Between 6 January 1999 and 28 February 1999 AFRC/RUF forces engaged in widespread looting and burning throughout the city of Freetown and the Western Area (refer paragraph 79 indictment).
846. The evidence will demonstrate *inter alia* that:
- a. Looting of civilians houses was widespread throughout the city;
 - b. The incidence of looting increased as the AFRC/RUF forces retreated from Freetown; and
 - c. Large sections of eastern Freetown were burnt.

Article 6.1 responsibility

847. It is the case for the prosecution that the planning, instigation, ordering or committing of the looting and burning of civilian property during the attacks in Freetown and the Western Area, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - b. The order from Bockarie in Kailahun District communicated to AFRC/RUF commanders in Freetown that there was to be an “Operation No Living Thing” and that everything in Freetown should be burned;
 - c. That AFRC/RUF senior commanders, including Alex Tamba Brima, and Santigie Kanu gave orders to kill and burn as much as possible;
 - d. That the scale of looting increased as AFRC/RUF forces were forced to retreat from Freetown;
 - e. That AFRC/RUF senior commanders, including Sanitigie Borbor Kanu and Brima Bazzy Kamara, personally engaged in looting; and
 - f. Any matters arising from the evidence disclosed.

848. It is the case for the prosecution that the planning, instigation, ordering or committing of looting and burning of civilian property by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy;
- b. The fact that prior to the invasion Santigie Borbor Kanu was in radio contact with AFRC/RUF commanders in other areas of the country coordinating the movement of troops;
- c. The fact that Santigie Borbor Kanu was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area to the Port Loko area;
- d. The fact that Sam Bockarie gave instructions to AFRC/RUF leaders in Freetown to carry out the “operation no living thing” and that Santigie Borbor Kanu gave instructions to AFRC/RUF troops that everything in Freetown should be burned down.
- e. The fact that Santigie Borbor Kanu drove around in a truck ordering AFRC/RUF troops to burn everything in Freetown;
- f. His presence when his subordinates were carrying out his instructions throughout Freetown;
- g. The fact that Santigie Borbor Kanu himself engaged in looting and was present as his subordinates engaged in wide-scale looting of property all over the city;
- h. The fact that the magnitude of the looting increased when AFRC/RUF forces were forced to retreat; and
- i. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

849. It is further the case for the prosecution that the looting and burning of civilian property was a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

850. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in looting and burning and had effective control over the subordinates.
851. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that looting and burning were to occur can be reasonably inferred from, *inter alia*:
- a. His position of responsibility and command within the AFRC/RUF hierarchy, the fact that he was the second in command of the AFRC/RUF forces that invaded Freetown on 6 January 1999 and remained in command as these forces retreated from Freetown and the Western Area and to the Port Loko area and the fact that his subordinates engaged burning and looting all over Freetown;
 - b. The overall conduct of the AFRC/RUF, not limited to any one District, in which food and other goods were taken from civilians and in which civilian dwellings were burned;
 - c. His presence when his subordinates were carrying his instructions to burn everything in Freetown;
 - d. His presence as his subordinates engaged in wide-scale looting of property all over Freetown;
 - e. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
 - f. Any matters arising from the evidence disclosed.

852. It is further the prosecution theory of the case that it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the looting and burning thereof because, *inter alia*:
- a. The fact that he was present when his subordinates burned and looted throughout Freetown and that he did not try to stop them nor did he take any action against his subordinates; and
 - b. Any matters arising from the evidence disclosed.

Counts 14 – 17: Attacks on UNAMSIL Personnel

853. It is the prosecution theory of the case that between about 15 April 2000 and 15 September 2000 the AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers at various locations within Sierra Leone. The attacks included the unlawful killing of UNAMSIL peacekeepers and the abduction of hundreds of peacekeepers and humanitarian assistance workers (refer paragraph 80 indictment).
854. The evidence will demonstrate *inter alia* that:
- a. AFRC/RUF forces attacked UNAMSIL peacekeepers and humanitarian assistance workers in Makeni, Magburaka and Makoth;
 - b. Over 300 peacekeepers were abducted and detained; and
 - c. A number of peacekeepers were killed.

Article 6.1 responsibility

855. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel, or the aiding and abetting thereof, or that resulted from the common plan to gain and exercise political power and control over the territory of Sierra Leone, can be reasonably inferred from, *inter alia*:
- a. That at the Makeni Demilitarization, Demobilisation and Reintegration (DDR) Camp Morris Kallon threatened peacekeepers and told them to dismantle the camp within 72 hours;

- b. That orders were then passed over radio between Issa Hassan Sesay and Foday Sankoh for the arrest of UNAMSIL personnel;
- c. That Morris Kallon and Augustine Gbao were present when UN military observers were taken hostage, mistreated and tied together;
- d. That Morris Kallon abducted the UN military observers and drove them to the RUF base at Tekko Barracks in Makeni;
- e. That the Makeni DDR Camp was surrounded and attacked by the RUF under the command of Augustine Gbao;
- f. That the RUF commander in the area erected checkpoints and posted AFRC/RUF personnel at the check points in order to cut off escape routes for UNAMSIL troops;
- g. That Issa Hassan Sesay gave orders to Morris Kallon to mobilize men to attack the Kenyan peacekeepers in Magburaka;
- h. That Issa Hassan Sesay supplied ammunition for the fight in Magburaka;
- i. That Morris Kallon and Augustine Gbao communicated the orders to attack the UN peacekeepers in Magburaka;
- j. That peacekeepers were abducted in both Magburaka and Makeni;
- k. That Issa Hassan Sesay ordered that the movement of detained Zambian peacekeepers to Kono;
- l. That Issa Hassan Sesay gave an instruction to arrest and hold UN personnel in Kailahun;
- m. That the release of the abducted UN personnel was negotiated by Issa Hassan Sesay; and
- n. Any matters arising from the evidence disclosed.

856. It is the case for the prosecution that the planning, instigation, ordering or committing of attacks on UNAMSIL personnel by Santigie Borbor Kanu, or his aiding and abetting thereof, or that resulted from the participation of Santigie Borbor Kanu in the common plan can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy; and
- b. Any matters arising from the evidence disclosed showing specific participation in the joint criminal enterprise.

857. It is further the case for the prosecution that the attacks on UNAMSIL personnel were a foreseeable risk of the common plan to gain and exercise political power and control over the territory of Sierra Leone, willingly taken by Santigie Borbor Kanu.

Article 6.3 Responsibility

858. It is the prosecution theory of the case that Santigie Borbor Kanu held a position, individually or in concert with other AFRC/RUF superiors, superior to the AFRC/RUF subordinates engaged in the attacks on UNAMSIL personnel and had effective control over the subordinates.

859. It is the prosecution theory of the case that the fact that Santigie Borbor Kanu knew or should have known that the attacks on UNAMSIL personnel were to occur can be reasonably inferred from, *inter alia*:

- a. His position of responsibility and command within the AFRC/RUF hierarchy and the fact that his subordinates engaged in the attacks on UNAMSIL personnel;
- b. The fact that his subordinates were in regular communication with the AFRC/RUF leadership during the commission of these crimes; and
- c. Any matters arising from the evidence disclosed.

860. It is further the prosecution theory of the case that given all of these matters it can be reasonably inferred that Santigie Borbor Kanu failed to take necessary and reasonable measures to prevent the attacks on UNAMSIL personnel or to punish the perpetrators thereof.

C. DISTINGUISHING THE CASE AGAINST ALLEGED RUF AND AFRC MEMBERS

861. The Prosecution submits that the case against each accused has been set out in section B above. Any further distinction between the case against alleged members of the RUF and alleged members of the AFRC is not possible at this stage.
862. Part of the Prosecution theory of the case is that the offences contained in the indictments were committed by members of the AFRC and RUF pursuant to a joint criminal enterprise which was shared by the two groups. In the Trial Chamber's decision of 27 January 2004, the Chamber held that the Prosecution had made a sufficient showing of a common transaction between the AFRC and the RUF groups.
863. It is also the part of the Prosecution theory of the case that each of the accused was a member of the senior leadership of the RUF and/or the AFRC, and that the RUF and AFRC forces who committed the offences charged in the indictment included persons subordinate to each accused person.
864. In view of these positions, it is the Prosecution theory of the case that each accused person is responsible for all the offences charged in the indictment, whether committed by the AFRC or the RUF or by members of the AFRC and RUF jointly.

ANNEX A

TESTIMONIAL EVIDENCE

FREETOWN CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TFI -169	1, 13	The witness is an architect and will testify that during January 1999 45 government quarters (which housed civil servants) were burned. Public buildings were also burned. These included the CID, the Ministry of Finance, the Vice President's office, the Central Police Station, the City Hall and the Ministry of Works. During the course of investigations into the burning of this property, the witness was told about the killing of civil servants and the burning of their properties.
PN TF1-339	1, 13	This witness is an architect and will testify as to the scale of destruction caused by burning in Freetown during the January invasion and the measures taken to alleviate the problem of homelessness caused by the destruction.
PN TFI-021	1, 2, 3, 4, 5, 13	This witness will testify that he was hiding with many other civilians in the Rogbullah mosque in Kissy on 6 January 1999. It was entered by armed men who identified themselves as the RUF and the People's Army. The group told the crowd in the mosque that they were going to kill all civilians as revenge to President Kabba. The people in the Mosque gave the rebels money. Then the group opened fire on the civilians in the mosque, killing 50 people. The witness played dead, and a rebel took money from his pocket.
PN TFI -278	1, 2, 3, 4, 5, 9, 10	This witness will testify that he lived in Falco Street. Prior to 10 January 1999 RUF rebels arrived in the area and a few days after 10 January 1999 SLA soldiers arrived. On 21 January 1999 the witness saw houses being set on fire by the soldiers. The commander ordering the burning of houses was named "Firefirst." The witness heard the rebels say that they were going to burn all the houses. The witness saw many houses burning in Kissy from 19-22 January 1999. Along with his family and other civilians the witness tried to escape on 22

		January 1999. They were captured by 5 SLA soldiers on Parsonage Street. These soldiers killed 2 children. Then one who called himself "Captain Two Hands No Mercy" cut off both hands of another man in the group and told him to go to President Kabbah. The same man then cut off both of the witness's hands.
PN TFI -280	1, 2, 3, 4, 5, 9, 10	This witness will testify that four days after the rebels entered Freetown on 6 January 1999 they shot and killed the witness's neighbor and burned a nearby house. The rebels also tried to kill the witness, but he ran away. On 18 January 1999 the witness was searching for food for his family near Mount Oriel Terrace when he was captured by a large group of rebels. The witness was later told by his children that they were under the command of Captain Blood. The witness saw seven dead civilians at the scene. The rebels amputated the witness's hand with an axe and told him to go to Tejan Kabbah. The witness was later told that the rebel who amputated his hand was a SLA soldier.
PN TFI -265	1, 3, 4, 5	The witness will testify that on 11 February 1998 in Lumpa village outside of Waterloo, 5 rebels came to the witness's house and killed her husband. The rebel who shot her husband was "Peletto." The witness's house was burned down by rebels retreating from Freetown. The rebels abducted the witness. The group proceeded to Konta then Lunsar, attacked Tendakum and Nonkoba on the way. The commanders of the rebels were using radios. The witness heard the rebels talking about burning down Nonkoba.
PN TFI - 081	1, 6, 7, 8, 12,13	The witness will testify that she was working with an NGO which provided treatment and counseling for sexual and physical abuse of 1168 rebel abductees from the January 1999 Freetown invasion. The witness prepared the overall report by issued by the NGO, which states that of the 1168 abductees, most were abducted from Freetown and 58.5% were raped. The majority of the abductees were young girls. Of the abductees 23.4% were physically beaten for refusing to have sex or carry heavy goods. Most of the victims were from Freetown, specifically from Calaba Town, Wellington, Kissy.

PN TFI -082	6, 7, 8	The witness will testify that she was working with an NGO which provided treatment and counseling for sexual and physical abuse of 1168 rebel abductees from the January 1999 Freetown invasion. The witness personally treated 184 cases of abductions, 85 of which were girls under age 18. Almost all of the women were used as sexual slaves. All of the women abducted were from Freetown, specifically the eastern area of Freetown. More than half were held by the rebels for over 5 months. The victims told the witness that the perpetrators were either AFRC, ex-SLA or RUF. Most of the abductees treated by the witness were taken to Lunsar, while some taken to Makeni, Port Loko and Occra Hill.
PN TFI -098	1, 2, 9, 10, 12	The witness will testify that he was in the Calaba Town area of Freetown on 6 January 1999 when the rebels entered Freetown, forcing civilians to carry loads. The witness recognized some of the rebels as former SLA soldiers and many spoke "Liberian language." The witness and his family were hiding in their house when the rebels burned it. On 18 January 1999 the witness and 20 other civilians were captured by the rebels while hiding in another house on Kissy Road. The witness and 10 other men were walked to a rebel base on Fatarama street where the rebels said "we are going to give you a message for Tejan Kabbah." The rebels also said that this was "No living thing." Then the rebels proceeded to cut hands off of the men and the witness saw about 4-5 men amputated before the witness had his left hand amputated. A total of 10 men were amputated. "Tommy" who was an ex-SLA who did the cutting. The witness was later told that "Captain Blood" was in charge of this area and that he killed many people.
PN TFI -233	1, 2, 3, 4, 5, 9, 10, 13	The witness will testify that as the rebels were fleeing on 22 January 1999 to the Calaba Town area of Freetown, they were trying to kill as many people as possible. The witness and 10 other civilians were hiding near the big Mosque in a compound between Bangura and Tejan Streets. On 28 January 1999 two rebels with guns found the witness and the others. The rebels demanded money and harassed the group, and forcing them to give 86 bags of rice. The group

		<p>was later taken to a house with an unnamed commander who ordered the group to be amputated. The first civilian begged and was chopped to the head and later died. A rebel with a machete then cut off both hands of the witness, telling him to go tell Kabbah that if police or ECOMOG come they will get same treatment.</p>
PN TFI -119	1, 3, 4, 5, 9, 10, 12, 13	<p>The witness will testify that she was living in Kenema when RUF commander Sam Bockarie arrived there after the May 1997 coup d'tat. While in Kenema, Sam Bockarie and his boys raped several women from the Bondu bush society. Also in Kenema Bockarie declared "Operation Pay Yourself". During this time the rebels started burning houses at night. The witness will testify that she was in Freetown living on Ross road off Kissy Road when the rebels invaded on 6 January 1999. The rebels killed her fiancé in front of her and put his head on a stick. The rebels were RUF mixed with SLAs. The witness was taken by some RUF rebels and forced to carry looted property along the Peninsula road. Upon reaching Kambia the witness, who was pregnant, started bleeding black and realized her fetus had died. The rebels, arguing whether it was a boy or girl, cut the witness open between her anus and vagina with scissors to take out the baby. The witness fainted and the rebels left her. Since this time, the witness has had 9 operations.</p>
PN TFI -226	1, 3, 4, 5, 9	<p>The witness will testify that on 12 January 1999 she and her family and friends, about 20 civilians, were attacked in her family home on Blackhall road in Kissy by a group of 8 rebels. The commanding officer of the group identified himself as "Killer." Killer told the people in the house that he had just killed 11 other people in another house. He then opened fire on the group. Two people died immediately. The witness and another person were injured. The witness was later told that the rebel group went into another house and killed 4 people and that prior to this event, 11 people had been killed in a house next to the witness'. The witness's arm became infected from the gun shot wound and she had to have it amputated.</p>

PN TFI -087	1, 2, 9, 10	The witness will testify that on Friday 22 January 1999, he and two other men were captured near St. Patrick's church in Kissy by four rebels. One rebel with an axe amputated the witness's right hand and partially amputated his left hand. After cutting his hands, the rebels told the witness to go to President Kabbah. The witness later saw many others with their hands amputated at Summertime Clinic, including a 14 year old girl and one of the men he was with when captured. That man had both hands amputated. Prior to this incident, another rebel burned the witness's house.
PN TFI -240	1, 2, 9, 10	The witness will testify that on 20 January 1999 he was captured with 20 other civilians at a house in the Blackhall Road area of Kissy in Freetown. The rebel commander ordered that the men line up. The witness was called forward. The rebel said "You people are supporting Tejan Kabbah so if you want hands, go to him." The rebel then attempted to cut both hands off the witness. The cuts did not go all the way through and he still has both hands, although they are permanently damaged. Later on, the witness was told that the commanding officer of the group was called CO Sullay "Cut Hand."
PN TFI -104	1, 3, 4, 5, 9, 10	This witness will testify that on 18 January 1999 RUF and SLA rebels entered the Good Sheppard Hospital in Kissy. The rebels took out a man whom they accused of being a Nigerian soldier and shot and killed him. The commanding officers of the group were Captain Sheppard and Captain Blood. The rebels also rounded civilians and brought them to Parliament. The rebels started shooting them and killed 15 people. The witness was wounded and taken to hospital following which he went home. Later the rebels were burning houses on Congress Road in Kissy. The witness was locked in a house which was set alight but managed to escape.
PN TFI -083	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13	This witness will testify that he was with his family in Kissy on 6 January 1999 when rebels harassed and looted from civilians in the area. Ten days after they arrived, the rebels started burning many houses. The witness saw many dead

		<p>bodies on Samuel Street with gun shot wounds and machete marks. The people from Kissy who escaped to Thunder Hill area of Freetown told the witness that the rebels had started amputating hands. One week later the witness was trying to escape with a group of others, including a wounded friend, to the Ferry Junction. The group was stopped by seven rebels at Low Cost Junction and forced to strip. A rebel took Le300,000 from the witness. Two of the rebels argued over who would get to have the 14 year old sister of the witness. The witness saw many dead bodies. The commander of the rebels said that these people should have their hands cut and President Kabbah would give them new hands. The witness had his hand cut off in one chop. The rebel who cut his hand told the witness to go to Kabbah for another one. Another man was amputated. A third, after having his fingers amputated, was shot to death. At and near the Rogbollah mosque, where the witness went to seek refuge, there were dead bodies of men, women and children. The witness's 14 year old sister was taken by the rebels. She later told him that she was raped by the rebels Occra Hill and had a baby.</p>
PN TFI -022	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13	<p>This witness will testify that he was with his family in Kissy on 6 January 1999 when rebels harassed and looted from civilians in the area. There were many armed children with the rebels. On 22 January 1999 the witness was traveling four other people down Low Cost Junction, attempting to bring their injured neighbor to the hospital. At the time many rebels were moving from Kissy to Wellington. Seven rebels forced the group to strip and then march to Winter road. Upon reaching the junction of Winter road and Old Road the commander of the seven rebels said that these people should be amputated. The witness saw seven corpses with their throats cut at the junction. A girl in the group, approximately 11 years old, was given to the commander as a "wife." One rebel with an axe proceeded to cut off the hand of another man and then cut the hand off the witness. Both hands were placed in a bag. A third man was called forward and shot to death after having his fingers cut. The 11 year old boy in the group was not heard from again. The 11 year old girl in the group was abducted. The</p>

		witness was told she was held for several months then released from Occra Hill. At Connaught Hospital there were over 50 amputees. As the rebels were leaving Kissy the witness saw that there were three columns with abducted civilians in the middle so they would not escape.
PN TFI -101	1, 2, 3, 4, 5, 9, 10	The witness will testify that on 17 January 1999 his house was burned down by rebels. On 18 January 1999 he was hiding with about 50 other civilians in a house near the Kissy Mental Hospital. They were found by 7 rebels. 29 of the men, including the witness, were led out into the street where they were ordered to sit down by the rebels. The commander of the rebels told them that because they voted for Tejan Kabbah they would be amputated. The first two picked to be amputated both refused and were shot and killed by the commanding officer. Then the commanding officer opened fire on the line, killing three more people. The commanding officer then turned to a rebel with an axe and said that he did not want to waste ammunition before shooting another 6 civilians. The rebel with the axe killed 5 more people by chopping them to the head. The rebels then amputated both of the witness's hands and the hands of another man. Colonel Rambo joined the group. The witness recognized him as one of Johnny Paul Koroma's boys. Rambo questioned his soldiers as to why they had killed and amputated. The soldiers did not respond but merely saluted him. Rambo then ordered one of the soldiers to call Captain Blood for him.
PN TFI -103	1, 2, 3, 4, 5, 9, 10	The witness will testify that he was on duty at the Connaught Hospital on 6 January 1999 when a large group of RUF soldiers under the command of Adema came into hospital. The witness was told by a friend that Sam Maskita Bockarie was visiting a white building across the street where diamond dealers lived. At least 20 patients died as a result of soldiers preventing treatment to civilians. The rebels said their boss was Foday Sankoh and that Charles Taylor would be sending them help. On the same day the soldiers beat to death a boy they accused of being a Kamajor. Days later over 50 amputees arrived at the hospital including men, women (30-35%) and children. (20%) Most of the amputees

		were from Kissy and said that those who amputated them were rebels. Some victims described that soldiers would ask them if they wanted "long sleeve" or "short sleeve" to determine the length of the amputation.
PN TFI -099	1, 3, 4, 5, 9, 10, 13	The witness will testify that on approximately 22 January 1999 she was in the Peacock Farm area of Kissy in Freetown as the rebels were withdrawing from the city. Two amputee victims ran by. One yelled that the rebels were killing people and cutting off hands. Commanders in the area who the witness heard being called included Colonel "Kill Man No Blood" and "Camra Rebel" Some rebels entered the room where the witness and others were hiding. The rebels immediately shot and killed a 60 year old man. Two other rebels proceeded to chop at a woman's head. She fell bleeding and died 7 days later. The rebels amputated one of the witness's hands and attempted to amputate the other. They looted and then set the house on fire. At Connaught hospital the witness saw many other amputees, some of whom died of their wounds.
PN TFI -097	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13	The witness will testify that he was staying near the Kissy Mental Hospital when the rebels invaded Freetown on 6 January 1999. The big commanders were based at Ferry Junction. There were many armed children with the rebels. Some in uniform were as young as 10 years old. On 8 January 1999 the rebels set his neighbors house on fire. The rebels were stealing a lot from the civilians. On 19 January 1999 the witness saw 5 civilians, 3 men and 2 women, who had their hands amputated by the rebels. On 20 January 1999, as ECOMOG was advancing, one SLA soldier named "Captain Blood," and one rebel named "the Killer" came to the witness's house. The witness was caught as he attempted to escape. They held him down and amputated his hand, telling the witness to go to Kabbah for he has many hands. The rebels also cut off both hands of the witness's nephew, who was then burned alive when the rebels set the house on fire. In the area at the time the witness also saw the rebels capture young girls, aged 13-17, and take them into houses where they would be heard screaming.

PN TFI -086	1, 2, 3, 4, 5, 9, 10, 13	The witness will testify that on 14 January 1999, the rebels, who identified themselves as SLA soldiers, started looting from the witness's house in Kissy. Two days earlier the rebels killed two civilians. On 20 January 1999 the witness and other civilians attempted to reach the Kissy Mental Hospital area, which they heard was safe. The witness was captured by six rebels, one of whom he recognized as "Junior", an SLA. The rebels amputated both of the witness's hands. They told him to "Go to Tejan Kabbah, he will give you hands. You will never vote again." The witness saw many amputees at Connaught hospital including three people that he knew, all of whom said that the rebels had amputated their hands.
PN TF1-096	1, 6, 7, 8, 9	This witness will testify that the rebels looted and set fire to her house on 7 January 1999. The house at 7 Davies street was also burned. The rebels amputated the right hand of boy who lived on Rose street. During the next fortnight the rebels abducted the witness's sister and kept her for one month. The witness's sister told her grandmother that she was raped while held. On 21 January rebels took the witness out of her house, forced her to walk ½ a mile down Davies street before amputating both of her arms on the root of a Mango tree. On way to hospital the witness saw 5 other amputees (3 boys and 2 girls). At the hospital she saw many more amputees who were from the Kissy Wellington area.
PN TF1-105	1, 2, 4, 5, 9	This witness will testify that on 6 January 1999 four rebels including Capt Blood came to the witness's house in Calaba Town. He knew Blood because he had seen him shoot and kill a civilian next door on December 24. Captain Blood stabbed the witness in the chest and cut off four of his fingers. Blood told him to go tell Kabbah that the rebels are in Calaba Town. That night the witness hid in the swamp and saw many houses burning. He later saw many amputees in Connaught Hospital.
PN TF1-287	1, 3, 4, 5	This witness will testify that in January 1999 he was with his family in Wellington.

		The witness was told that an AFRC soldier arrested newspaper deputy editor Paul Mansaray, his wife and children and 12 other church members from church. They were then taken to a rebel base and shot.
PN TF1-084	1, 3, 4, 5, 9, 10, 13	This witness will testify that he was with his wife at Blackhall Road in Kissy when rebels invaded on 6 January 1999. His house was looted. Col. Akim and Collins were the COs. The witness was told about rebels killing a boy who was wood seller on Davis Street. The witness saw COs giving orders to burn houses at the David Street and Blackhall Road intersection. On 18 January the witness and others were captured as they attempted to escape. The witness saw the rebels kill 7 people before they amputated his hand. The witness later met another amputee who told him that his hand had been chopped off by rebels.
PN TF1-027	1, 3, 4, 5, 6, 8, 11	This witness will testify that she was part of a group of 30 women hiding in the Bundu Bush when she was captured by rebels. The witness saw rebels burn a house containing 3 people and shoot 3 people, killing 2. She also saw 20 people killed by being burned alive in Peacock Farms. Small boys were used to burn the house. The witness was taken with 30 other girls to Calaba Town. There she was put in house with 6 others. They were raped every night by different groups of men. After 14 days she was taken to Waterloo where the commander was "Eat Alive". She stayed at Waterloo for 2 months. Many young girls and boys were captured on way to Waterloo. The girls were raped at Waterloo repeatedly. All newly captured girls were raped.
PN TF1-188	1, 3, 4, 5, 6, 8	The witness is a doctor who will testify that he heard about 20 cases of rape that occurred in the areas of Kissy, Wellington and Thunder Hill sometime after January 15 1999. The witness estimates that between January 6 and 15 50 civilians died because they were denied treatment on order of rebels. On January 7 2 civilians in the hospital were "stomped" to death. Also on January 7 the witness saw over 40 dead civilians brought to hospital. Between January 6 and 8 the witness saw 50 bodies mostly of women and children on the street

		near hospital. Between January 9 and 16 the witness saw 200 bodies mostly of women and children seen on street. The witness saw 2-3 cases of reported gang rape seen at the National Stadium.
PN TF1-331	1, 2, 4, 5, 6, 8, 9	The witness will testify that she was in her house when she saw rebels with civilians entering Wellington. The rebels burnt two houses on Palmer street. A week later rebels told people to come out of hiding, promising that they would not be harmed. The witness and others were taken to the Looking Town area in Kissy. When the rebels started retreating they lined the civilians up. The witness saw the rebels cut a six month old baby in half with machete. The baby's grandmother told the witness that she had been raped. The rebels beat the witness's husband with a stone. He later died. The rebels amputated the witness's left hand and told her to go to Kabbah for peace.
P TF1-235.	1, 2, 3, 4, 5	This witness will testify that his 7 children and grandchildren were executed by SLAs who accused them of supporting ECOMOG and Kabbah. Other family members were injured. The witness's house in Wellington was later burned.
PN TF1-234	1, 3, 4, 5, 9	This witness will testify that he was in Kissy when rebels invaded. He saw the rebels take 4 men from their compound and later a neighbor told the witness that the men had been killed. The witness saw rebels set a neighbors house on fire. He also saw rebels shoot and kill his friend as friend tried to escape. The witness was taken to Samuels street where his arm was amputated by rebels.
PN TF1-106	1, 9, 10	The witness will testify to the way in which the AFRC/RUF executed operations during the January 1999 invasion of Freetown that focused on amputations, including "Operation Cut Hand" and "Operation Cut Limbs". The witness will provide evidence on treatment at Connaught hospital of amputees during and after the AFRC/RUF invasion of Freetown on 6 January 1999; and on the process of exhumations of civilians performed after the AFRC/RUF January 1999 invasion of Freetown.

PSEUDONYM	COUNTS	SUMMARY
PN TFI-023	1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13	The witness will testify that in January 1999, AFRC rebels looted her house in Wellington. On 13 January 1999 rebels burned the witness's house down. On 22 January 1999 she and her sister were abducted by AFRC rebels from Wellington along with many young girls from Freetown. In the Kola Tree area of Freetown the witness saw rebels amputate both hands and cut off the tongue of a man. The witness was forced to be the wife of Col. Rambo whose real name is Idrissa Kamara. She was raped on several occasions. The overall commander of the group was Brigadier Gullit. Other commanders in the group included Brigadier Bazy. While walking to Waterloo, the young girls, women and men were forced to carry looted goods. In Mile 38, the rebels killed between 10-15 civilians and placed their heads on sticks. Bazy was the commander. In Magbene Bazy beat the witness. While in Magbene the group called themselves the West Side Boys and communicated with the RUF who were based in Makeni. The group attacked Mamama, killed civilians and reported this to Bazy. The witness heard Bazy give orders to beat and kill civilians.
PN TFI-093	1, 3, 4, 5	This witness will testify that after the intervention but prior to the Freetown invasion she was with other rebels in Moyamba. During this time there were communications between CO Papay, Superman, Mosquito, Johnny Paul Koroma, Issa Sesay and 55. The witness will testify that she was a member of the RUF and was in command of a RUF group under Commander Superman that entered Freetown in January 1999. The group consisted of about 100 RUF members and no AFRC. Prior to the invasion Superman was in communication with 55 and Issa Sesay. The communications contained instructions for movements. Superman was also in communication with Mosquito just prior to the invasion. Superman told the witness that they were receiving help from Charles Taylor in Liberia. A large shipment of weapons came to Okkra Hills. These weapons were used by the group in the Freetown invasion. Superman

		told the witness that these weapons came from Charles Taylor. The witness will testify that she commanded a group in the Cline Town area of Freetown. The witness instructed the group to burn people alive in houses in the Fourah Bay and Upgun areas. The group killed lots of people in Cline Town, Upgun, Forah Bay and Camkeh.
TF1-094	1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13	This witness will testify that she was captured from Waterloo on 12 December 1998 by a RUF under a group commanded by SAJ Musa. The group took the witness to her uncle's house in Waterloo. Her uncle gave the rebels money, after which the rebels gouged out his eyes and stabbed him to death. On 6 January 1999 the group attacked Freetown through Calaba Town. The witness escaped to her aunt's house in Kissy but on 20 January 1999 was recaptured by the rebels led by Commander 05. The rebels performed amputations near the Kissy Mental Hospital and burned people alive in houses. As the group was leaving Freetown the rebels forced people to carry things. Old people who could not carry loads were shot and killed. There were different groups of rebels. The commanders included 55, Junior and Rambo. At Magbeni CO 55 announced that they were crossing the river and those not with a group would be "left behind". This meant they would be killed. The rebels did kill some people. The witness was drugged and raped in Magbeni by her capturer Ibrahim. The witness will say that the commanders knew that women were being raped but never stopped it. Many of the girls who were captured were forced to do work like pounding rice. The small girls would cry a lot when they were forced to have sex with the rebels. At that time, the rebels were a mixed group of RUF and SLA, but mostly SLA. At 6 Mile, the rebels distributed the girls in the witness's group, 2 of whom were about 10 years old, amongst themselves. The girls became bush wives and slept with the rebels.
PN TFI-277	1, 3, 4, 5	This witness will testify that on 6 January 1999, he saw Santigue Kanu "55" in Lumpa leading rebels into the western area. The rebels consisted of both SLA soldiers and RUF rebels. In Waterloo 55 killed a 20 year old girl because his

		fighting men were being distracted by women and reluctant to go to the front line. After 55 went to Lumpa, the witness heard that he killed eight more people including the witness's father-in-law.
PN TFI-088	1, 2, 3, 4, 5	The witness will testify that the leader of the AFRC/RUF military regime was Johnny Paul Koroma and his deputy was Foday Sankoh. Sankoh was in Nigeria at the time of the Coup d' tat. Members of the Supreme Council for the AFRC/RUF regime included 55, Tamba Brima, Ibrahim Bazy Kamara, and Issa Sesay. Morris Kallon was the Regional Commander of the southern command and was based in Koribondo in Bo District. Tamba Brima was the overall commander of the forces that invaded Freetown in January 1999. Tamba Brima and Junior Lion attacked a house on Fort Street and abducted a girl. On 7 January 1999 Junior Johnson executed 8 women at Tower Hill because they were girlfriends to members of ECOMOG.
PN TFI-152	1, 3, 4, 5, 6, 7, 8, 11, 12, 13	This witness will testify as to the AFRC and RUF alliance; the AFRC/RUF commanders including "Gullit"; the AFRC/RUF attack on Freetown in January 1999; the AFRC/RUF commanders involved in the January 1999 attack on Freetown which included Gborie, Amara, and "Junior"; the AFRC/RUF retreat from Freetown; and to killings, rape, sexual slavery, abductions, forced labour, and the use of child soldiers.
PN TFI-024	1, 2, 3, 4, 5, 6, 7, 8, 12	The witness will testify that he was captured by rebels from his home in Freetown along with seven others and taken to the Statehouse. There they joined about 50 other captured civilians. The commander in charge of Statehouse was "Gullit." Five of these civilians, including 3 women, who refused to join the rebels, were shot dead on Gullit's orders. The witness was at Statehouse for four nights and heard girls crying "I no de gree, me na small pikin" and being raped. The witness saw many girls being raped on the Statehouse grounds. Later the witness heard Gullit say that ECOMOG was coming and then heard Gullit's boys saying that if ECOMOG removed them from

		the Statehouse they would burn down many houses. The witness was forced to carry a B15 bomb to Calaba as they retreated. The witness escaped in Calaba Town.
PN TFI-264	1, 4, 5, 7, 8	The witness will testify that the rebels attacked Waterloo prior to New Years Day 1999. A few weeks later the rebels again attacked Waterloo, this time from the Freetown direction. The witness and her family took refuge in the nearby village of Lumpa. In Lumpa 5 rebels came to the witness's house. One shot her father three times. The leader of the rebels in this group was Captain Peleto, who was RUF. Many people were being abducted by the rebels in the bush. One of 5 men who raided the bush tried to force the witness to have sex with the witness's in-law. She refused and had her underclothes torn from her. The witness and a few others ran towards Masiaka to hide. The witness was hiding in "Kathel" Village until it was attacked by rebels led by Colonel Pikin, Brigadier 55 and General Issa.
PN TFI-176	1, 3, 4, 5	The witness will testify that in early January 1999 he was abducted from Lumpa by a group of rebels under the command of SAJ Musa. About 30 civilians, including pregnant women, children and young men, were abducted from Lumpa. At Lumpa the abductees were tied together in pairs by their clothes. They were taken to Benguima. SAJ Musa was killed in Benguima. Superman ordered his burial and promised a state funeral after the group had completed its mission to Freetown. Issa Sesay was present at the ammunitions dump. The group remained in the hills for three days. Prior to entering Freetown Superman and Issa Sesay ordered the sacrifice of 5 women and 5 men from the abductees. They were killed with their hands behind their backs. The witness heard that Issa Sesay ordered everyone to rub the human blood on their faces before leaving for Freetown. There were approximately 250 abductees with the group before they entered Freetown. Days later Peleto, a rebel commander, was engaged in house to house executions in Lumpa.

PN TFI – 029	1, 3, 4, 5, 6, 7, 8, 10	This witness will testify that on 22 January 1999 she was abducted by the rebels from her home in the Industrial area of Freetown. She was taken to Calaba Town and Benguima with 20 other girls. The rebels were a mix of SLA, AFRC and RUF. In Calaba Town the rebels cut off the head of a captured ECOMOG soldier. In Calaba, about 20 of the girls in the group told the witness that they had been raped, often twice a day. They also said that if they refused to have sex with the rebels they would be beaten and burnt with cigarettes. The witness saw some girls with cigarette burns. The witness heard the shooting of a 20 year old girl by a rebel soldier and saw the body. Colonel Tito of the AFRC shot and killed 3 nuns that were among the abducted. Houses were burned in Calaba Town. On 21 January 1999 10 people were burned alive in a house. In the bush between Calaba Town and Hastings the rebels killed 15 babies by smashing them in front of their mothers. The rebels said the babies were making too much noise. The witness was raped five times by "Major" once the group reached Benguima. At least 10 other girls held with the witness were being used for sex. Over 200 civilians were captured and were used as shields against Kamajor attacks. Commander 55 was present in Benguima.
PN TFI -279	1, 3, 4, 5	This witness will testify that the rebels came to Waterloo sometime in 1998 and burned houses before going to Freetown. Two days later the rebels came back and based themselves in Waterloo. One of the rebel commanders in the area was called Peleto. Another commander was Morris Kallon. While the rebels were there, Peleto entered and old woman's house and killed the two women in there. At this point the witness fled the area. When the witness returned he found five partially decomposed bodies by the side of his burnt house.
PN TFI-085	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12	The witness will testify that on 6 January 1999 AFRC rebels took money and food from her house in the Wellington area of Freetown. On 9 January 1999 another group of rebels arrived and amputated the arm of a 5 year old girl. Then they made the witness's mother choose either to be amputated or give the rebels her daughter, being the witness. The rebels took the witness out of the house

		<p>and set the house on fire. There were many armed children with the rebels, including one that was about 5 years old. The witness was abducted with 6 others and forced to carry ammunition to Allentown. There the commander of the group, Major James, raped the witness both vaginally and anally. Two other women fought off rape but were killed by the rebels. Five other civilians were also stabbed to death. 55 passed the order to abductees to eat human heart on pain of death. Also in Allentown Issa Sesay passed an order to flog the witness for setting clothes in a visible position. As the group continued to retreat but before they reached Waterloo, Commander 55 ordered CO Daramy to kill a baby boy that was crying because 55 was concerned about the noise. CO Daramy placed the baby in the grave alive. He then forced the mother to throw dirt on the grave and then to dance on it. 55 and Issa Sesay were CO Daramey's bosses. The group stayed for a day in Lumpah. The witness was taken with many other captured civilians to Lunsar and Masiaka. There were hundreds of abducted women and girls. At Masiaka there were many commanders present including Issa Sesay. These commanders all had many wives. Many girls complained about rape to commanders 55 and Issa Sesay but were told that they were "wives" and not to complain.</p>
PN TF1-102	1, 3, 4, 5, 6, 7, 8, 9, 12	<p>This witness will testify that he was released from Pademba Prison on January 6 1999. He rejoined the Junta at Statehouse. Commander Bazzie and Commander Jr. Johnson were at Statehouse with their troops. The witness saw commanders ordering amputations. The overall commander was Bazzy. Gullit was the second in command. Around Black Hole road the witness saw Gullit kick open the doors of houses, take out people - mainly women and children, and shoot them. He saw him shoot 2 women and 6 children. The witness saw a lot of civilians in the group retreating from Freetown. The civilians were used to carry the heavy ammunition and other supplies. Women were also taken for bush wives and small boys to train for fighting. All the people abducted were trained to fight. This was called Junta II. The witness also saw Gullit shoot an officer because he did not want to go and fight ECOMOG. Between Kissy and Kabala town the witness</p>

		<p>saw soldiers enter houses during the night, take women out to the bush and then take them to the bush as wives. Some even raped the women inside the house. The soldiers were all under Bazzy and Gullit. Other commanders included Col. Keydo - who answered to Bazzy, Col. Rambo Red Goat, Col. 55, and Gun Boots.</p>
PN TF1-227	1, 3, 4, 5, 6, 8, 11, 12	<p>This witness will testify that on 5 January 1999 rebels attacked near his house in the Kola Tree area. The witness knew of about 10 girls abducted by rebels occupying the area. He had been told that one was raped. On 23 January the witness was abducted. He identified AFRC commanders such as "Gunboat," "Col "Bastard," Adamu, and Baoyo. Along with about 300 other civilians the witness was forced to retreat with rebels from Kola Tree. They had to carry items. About 120 of the civilians were women and children. On 29 January he was taken with another large group of civilians to Waterloo. There he was told about the killing of a nun at Kola Tree. While in Kola Tree the witness knew of the "burning squad" that was tasked with burning houses. The squad contained two children about 14-15 years old. At Waterloo he saw 1000 abducted civilians, 600 of them were women and children. The witness will say that the AFRC and RUF were cooperating in Waterloo after the invasion. 55 was the overall commander at Benguema. Abducted women were forced to cook and clean. Many were sexually abused. At night the commanders would send for them and refusal of sex resulted in a beating. Two girls ages 15 and 16 were raped by Gunboat. 55 made two announcements during muster parades to civilians and rebels about observing certain rules. These included no raping, no stealing and no killing. The rules broken all the time. The witness never saw anyone punished. The witness saw many SBUs who were about 10 years old. The witness saw Foday Bah shoot and kill a mute civilian for lump of sugar. The witness saw that the AFRC was in communication with Rambo and the RUF. He heard that Gullit was in Makeni at time. The witness the chain of command was as follows: Gullit – Bazzy – Foday Bah. 55 – Snake. Commander Bazzy – Junior Lion were at Mile 38 in late March 1999.</p>

PNTF1- 281	1, 3, 4, 5, 6, 7, 8, 12, 13	This witness will testify that she was captured in Freetown on 6 January 1999 and taken to Waterloo where 7 rebels raped her. Prior to the incident she was a virgin. Other girls were also raped, one of whom was left because she could not walk. The witness walked to Makeni with the rebels. There she was raped by Colonel Papa and used as his sex slave. The witness became pregnant by him. She received military training and was given a pistol. While in Makeni the witness saw SAJ Musa, Colonel Issa and others killing those who disobeyed orders. The witness went with rebels on missions when people were captured and food items looted. Colonel Issa punished people for raping. Foday Sankoh promised to look into the complaints of the witness and to take care of baby she had with the rebel.
------------	-----------------------------	--

BO CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF 1-005	1, 2, 3, 4, 5, 13	This witness will testify that in July 1997, heavily armed SLA/Junta forces attacked the witness's village, Gerihun, looking for Kamajors. The Kamajors had earlier fought the junta about four miles away on Bo-Gerihun highway. The Kamajors lost and were pursued by the Junta to Gerihun. The Kamajors were not in Gerihun during the attack. The witness saw one man, Alhaji Mohamed Sidikie, in his house being fatally wounded. The witness fled and later, on his return, saw this victim's body and four other dead bodies in the village, including that of the Paramount Chief A.S. Demby. Some other villagers were wounded. Attackers looted possessions. The witness saw juntas in possession of a bus packed with looted properties belonging to civilian. The bus was taken to Bo town.

PN TF1-053	1, 2, 3, 4, 5	This witness will testify that on the night of 26 June 1997, he saw well armed men in uniform enter Gerihun in vehicles. He saw five men enter Paramount Chief Demby's house. Shortly after, the witness heard one gun shot and a voice like that of Paramount Chief Demby cry out. He saw three soldiers coming out from the house. Afterwards he saw five dead people killed by these soldiers. He was told of other killings and saw evidence of them. The witness identifies A.B Kamara, A.F Kamara and Mohammed as amongst those who attacked.
PN TF1-006	1, 2, 3, 4, 5, 9, 13	This witness will testify that about two months after the overthrow of President Kabbah, he heard heavy firing as he hid in his friend's house (PN TF1-005) in Gerihun with others. He saw a soldier dressed in full military uniform enter and shoot his companion. There were only civilians in the house. His companion was injured. When they tried to escape, his companion was shot once again by soldiers. His companion died soon thereafter from the second shooting. The witness fled. When he returned to town he saw the bodies of three others who had been shot. The witness learned from others that armed men killed Paramount Chief Sandy Demby. The attackers were identified as "junta" soldiers. They robbed and pillaged. The witness states that there were no Kamajors in the village at the time of the attack. Later, the witness saw many houses burnt.
PN TF1-054	1, 2, 3, 4, 5, 13	This witness will testify that in 1997, the AFRC was in power under the leadership of JP Koroma. The AFRC was in control of Bo Town. On 24 July 1997 the witness's home was looted by armed soldiers in uniforms led by AF Kamara. Later on in July 1997 the witness was in the Paramount Chief's house when many AFRC /SLA soldiers entered Gerihun including AF Kamara, Boisy, AB Kamara and AFRC youth leader Bo Yagah. The witness saw AF Kamara instructing men to burn Vice President's house down. The witness saw soldiers shooting at the Paramount Chief twice and then heard soldiers ordered to stab him. He then heard a gunshot and the shouting of Pa Sumaila, the Paramount Chief's caretaker. The witness later discovered him dead, shot. He fled to the

		bush and upon returning to the village he was told of five people killed by the soldiers. He saw the dead bodies. The witness states that there were no armed Kamajors during attack.
PN TF1-050	1, 2, 3, 4, 5, 13	This witness will testify that about a month after the overthrow of President Kabbah, the witness saw three soldiers dressed in military combat uniform entering his house in Tikonko. They found the witness, Mama Fudia, Mama Massa Mansaray, Hawa Momoh and Hawa Mansaray inside. The soldiers ordered Mama Fudia, Mama Massa Mansaray and the witness to go outside from the parlour. The soldiers demanded money from Momoh and Mansaray, threatened them and then killed them on pretext that their brothers had killed their colleagues in Sembehun.
PN TF1-003	1, 2, 3, 4, 5	This witness will testify that in July, after the overthrow of President Tejan Kabbah, soldiers entered the witness's house in Tikonko. He saw three soldiers dressed in army uniform. He recognised one SLA soldier. They questioned his wife and two women, both named Hawa. The witness heard soldiers threatened to kill Hawa Momoh. He heard gunshot and a woman cry out. He heard another gun shot. Later he entered the house. Two women were lying dead. One of them was bleeding from the vagina. He observed other dead bodies in the village that day including burnt remains of one woman. The witness saw many other burnt houses in Tikonko. The dead were civilians. There was no fighting in Tikonko between the attacking soldiers and any other force such as the Kamajors that day.
PN TF1-048	1, 2, 3, 4, 5, 13	This witness will testify that during the Junta period /dry season Tikonko was attacked. The witness fled to the bush leaving her sick brother. Upon return, she found that her brother had been mortally wounded. She was told by her brother that he had been shot by a soldier. Some personal property had been stolen. The witness saw more dead bodies: two Hawa women (Momoh and Santigie) and others. She was told they were killed by soldiers. She saw one

		Hawa shot in her vagina. There were no armed Kamajors in the village on the day of the attack. The witness saw that houses had been burnt down.
PN TF1-004	1, 2, 3, 4, 5, 13	This witness will testify that the witness was with soldiers as they prepared to attack the town from Tikonko junction at the end of June 1997. One Junior told the witness that soldiers were going to kill every living thing in Tikonko. When the soldiers arrived at Tikonko, the witness saw them kill five civilians and three Kamajors, the latter being distinguishable by their clothing. After the attack, the witness went into the house of a neighbour, Bangalie, and found 11 people dead. One, Mamama Bangalie, was grievously wounded (stomach spit open) but alive. Before dying she told the witness that the soldiers killed them. The witness travelled further and came across more dead bodies killed by soldiers. Nineteen people would later be buried in a mass grave. The witness saw soldiers with looted items. He describes as "soldiers" some in full uniforms and some in half uniforms with red cloth tied around their heads. He recognized three SLA soldiers: Junior Mosakpa, Brima Moisia and "Baby Daddy". Of the three Kamajors, the witness knew one was unarmed but was not certain about other two. There was no armed opposition against soldiers when they attacked.
PN TF1-001	1, 2, 3, 4, 5	This witness will testify that after the overthrow of President Kabbah in 1997, the witness saw men in combat uniforms attacking Tikonko with RPGs. He saw men entering homes. The witness hid near the village and saw soldiers attacking the village for two hours. There was no opposing fighting force. On the following days, he saw approximately twelve corpses including three Kamajors who had been on duty at a nearby junction. The remainder of those killed were unarmed civilians.
PN TF1-047	1, 2, 3, 4, 5	This witness will testify that after AFRC came to power, the witness was warned that AFRC would not tolerate harbouring of Kamajors. Some days later, he saw heavily armed men heading towards Tikonko accompanied by Sam Bockarie (aka Mosquito). He heard shooting coming from Tikono. The witness was told

		<p>by residents that people had been killed at his house. He went to Tikonko later, where he found eleven people dead at his house. They all had gunshot wounds. Among the people were Mamei Bangali, Adama Bangali, Victor Bangali, Joseph Bangali and Mamatoma Bangali who were all grandchildren of the witness. All of them were adults. His son was also killed in the incident. Eleven people were buried in a mass grave behind the market. The witness saw many of the people killed around the town. He saw gunshot wounds on all the dead bodies. He saw a lot of houses burnt. All the dead bodies he saw were civilians because they had civilian dresses and he did not see weapons by them. There were no Kamajors in Tikonko at that time of the killings.</p>
PN TF1-054	1, 2, 3, 4, 5	<p>This witness will testify that he was a Kamajor soldier during the relevant period. In 1997, after the AFRC Coup, whilst hiding in the bush, he heard soldiers saying that anybody they met in Telu will be killed. Thereafter, he heard shooting for about one hour and then soldiers cheering and saying they had killed all "Kamajors" in Telu. On returning to the village, he saw one dead body and was told that two other people were killed. Telu properties were looted by the attackers. A second attack occurred 3 weeks later. Soldiers in military uniforms entered the town. The Kamajors could not fight back because they had no ammunition. The witness heard soldiers yelling "Operation Pay Yourself". He saw his village being attacked. On return, the witness counted five dead. He saw soldiers leaving village carrying looted property. He also saw soldiers launching RPG guns at thatch houses which caught fire. The next day the witness and others counted 50 houses burned down. He identified attackers as SLA Junta soldiers. One of them was Corporal Yatti.</p>
PN TF1-107	1, 2, 3, 4, 5	<p>This witness will testify that the SLA and RUF attacked the witness's town, Telu, during the month of July. He could tell they were SLA and RUF because of their clothing. Some were in full uniform with berets whilst others were partly dressed with bandanas. They came in six Toyota vans. The witness heard firing. He hid with his father in his house. They saw smoke coming out of one room so they</p>

		<p>tried to get out back. The witness's father had been wounded in hand by bullet while getting out. They hid behind the toilet inside the compound. However, soldiers saw bloodstains leading to the toilet. The witness hid in the bush. The soldiers found witness's father hiding behind toilet. They shot him dead. The witness also saw a house burning that day. There were no Kamajors in town during the attack.</p>
PN TF1-011	1, 2, 3, 4, 5	<p>This witness will testify that about six months after JP Koroma came to power, the witness's village, Telu, was attacked. He heard shooting. Then he saw a soldier dressed in full uniform. He ran away and passed by an old lady who was shot dead a moment after. The witness saw houses burnt, some still on fire. He heard of others killed and saw another dead body of an unarmed civilian. He saw a ten year old boy whose arm was wounded by a bullet. The town was attacked on other occasions. He usually ran away and came back after the attacks. During these attacks, he saw many properties looted. The witness lost a lot of property and so did his dependants and family. There was no fighting between the attackers and the Kamajors. The witness knew about Kamajors being in Telu but did not see anyone in town at the time. The people whom were killed were not killed in any cross fire because there was no fighting or no resistance from any body in Telu.</p>
PN TF1-010	1, 2, 3, 4, 5, 13	<p>This witness will testify that his village, Telu, was attacked by lots of well-armed soldiers in uniforms. He saw soldiers looting and burning house next to his own house. He saw dead bodies of civilians after the perpetrators had left the village. He heard soldiers saying that Mosquito was waiting on them to go to new site. The witness was informed by others that Mosquito was heard saying to soldiers in Telu that "Kamajor base in Telu must be destroyed." Mosquito also said "All those who have relatives at Telu should go back and bury their dead." There were no Kamajors to fight back with the AFRC/RUF when they attacked witness's village.</p>

1366

PN TF1-051	1, 2, 3, 4, 5, 13	This witness will testify that on the day of the attack in Sembeheun, the witness heard a loud gunshot and ran into her house. She hid with her grandchildren under a bed in her room when attackers entered the house. Her son (also son of TF1-049) was in his own room. The attackers forced the door of her son's room and entered into his room. She heard them arguing with her son and taking his things. Then she heard shots and ran to her son's room where he was lying dead. She was informed by residents of Sembehun that the group which attacked Sembehun was led by one Mosquito but she never saw the attackers.
PN TF1-049	1, 2, 3, 4, 5, 13	This witness will testify that on a Monday in 1997, the witness was told that the People's Army were coming to his town. Later on, he heard sporadic shooting in Sembeheun. He hid in a house next to the house of his son. From the window, he saw men in full military uniforms and half uniforms with red pieces around their head entering his house and demanding from his son (also son of TF1-051) "Where is your father, where does he keep money?" He also saw a man dressed in white giving command to armed men. He describes those men as SLA and People's Army soldiers. The commander ordered them to take property from houses. They loaded looted items on trucks. The witness returned to the house and found his son shot by soldiers. The following day, he went to Bo. He saw the commander who had been in Sebehun. He was told by a lot a people that this man was Mosquito.
PN TF1-009	1, 2, 3, 4, 5, 13	This witness will testify that after the coup, SLA and RUF were a combined force. The witness saw soldiers led by Sam Bockarie (aka Mosquito) entering Sembehun in an assortment of vehicles a day after a fight with Kamajors in Korobondo. Bockarie introduced himself to the witness and others. Bockarie said that they should prepare themselves to farm and he would burn the same day. The witness fled to the bush. Whilst he was running with his wife into the bush, he saw a man with white cloth around his head (plain clothes) shoot his wife who was 3 months pregnant. He recognized the man as part of Bockarie's

		troops and saw him with Bockarie's troops when they first arrived. Those men refer to themselves as People's Army. The witness later learnt that his brother had been killed by the rebels. He buried both his wife and brother the following day. On return to his village, he saw houses burnt.
PN TF1-008	1, 2, 3, 4, 5	This witness will testify that after the coup in 1997, the witness saw Sam Bockarie (aka Mosquito) and his men entering Sembehun in several vehicles. One vehicle had an AA gun mount. The witness hid in bush as he heard Sam Bockarie's men opening fire on township. He returned to the town and found the remains of Mohamed Jabbi shot. He also saw the dead bodies of three other people. There was no other fighting force present during the attack. He was told of other killings. His cousin was seriously wounded by Bockarie's troop while trying to flee. The witness saw soldiers burning several houses. He saw soldiers with small plastic petrol containers. About forty-seven houses were burnt. He was also told by an injured person that Sam Bockarie's men attacked the town.
PN TF1-007	1, 2, 3, 4, 5, 12, 13	This witness will testify that he saw approximately 200 men in military uniforms entering the town. He saw one Caporal Yatti (SLA) entering the house of Yatti's mother in law and forcing her and two other civilians onto veranda. Thereafter, he saw the soldiers shoot all three on the veranda. The soldiers said that they came to Mamboma to kill Kamajors but there was none there so they killed civilians instead. The witness saw the body of the victims. He says there was no force fighting the group when they arrived in Mamboma. The soldiers burned twenty-six houses. The witness saw several young men being "forced" to load looted goods in vehicles after the attack before being taken away.

KENEMA CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF -127	1, 2, 3, 4, 5, 9, 10, 13	This witness will testify that at a public meeting in June 1997 the AFRC threatened anyone who did not cooperate with them. The witness, B.S.Massaquoi (BSM) and others were later arrested and detained in the AFRC Secretariat. The witness was beaten and tortured. The witness saw Sam Bockarie (SB) beat BSM with his pistol. The witness saw SB give the order to beat one Fambuleh because Fambuleh was alleged to be a Kamajor. He was beaten to death with strips of outer tyres in front of the witness. On his release the witness was admitted to hospital suffering from his injuries. While in hospital he learned of BSM's re-arrest by SB and of the murder of BSM and others by the AFRC. The witness also learned that his goods and property had been looted or destroyed.
PN TF1 -120	1, 2, 3, 4, 5	This witness will testify that on February 2 1998, on the order of his superior, the witness went to B.S. Massaquoi's (BSM) house to re-arrest him. The witness was told that Sam Bockarie (SB) had ordered police to produce BSM on threat of burning the police station. BSM was brought to Kenema Police Station. The witness heard later that BSM was taken away and killed together with other people on orders of SB. Those who took him away signed for him and the transfer of custody was noted in the official Police Station Log book.
PN TF1 -124	1, 2, 3, 4, 5, 9, 10, 13	The witness will testify that after AFRC/RUF took control in Kenema many people were killed in skirmishes between AFRC and Kamajors. The witness saw 3 dead bodies identified as Kamajors and about 13 other corpses in the area of Mambu Street. Several houses were burnt in follow up raids. The AFRC arrested B. S Massaquoi (BSM) and others. They were eventually handed over to police. At the Police Station the witness saw wounds on BSM and four others. The witness saw BSM in police custody at Kenema Police Station after he was rearrested and before he was handed over to the AFRC. On February 11 1998

		the witness saw AFRC personnel shoot up Sayaiah St, Kenema and later observed SB ordering soldiers to loot shops and pay themselves. The witness was himself a victim of looting.
PN TF1 -122	1, 2, 3, 4, 5, 9,10, 13	This witness will testify that on a day after the AFRC came to power in Kenema, he observed one "Bunny Wailer" (BW) in the cell at Kenema Police Station. He was dressed in military combat and his face was swollen. Later a group of soldiers from the AFRC Secretariat took him out of the cell and the Police Station. Sometime later the AFRC/RUF men brought three men to the Police Station together with BW, lined them up at the Police Compound and shot all four of them. The witness heard about arrest of B. S Massaquoi (BSM) and others. The witness saw BSM and others lying on floor of the AFRC secretariat, tied and bloody. Sam Bockarie (SB) was present. After the re-arrest of BSM, AFRC Military Police signed for him and 5 others. The witness saw a soldier stabbing BSM on the back. The witness later learned that the men had been killed. The witness went to Doorwailah and saw corpses with cement blocks put on their heads. He identified BSM. The witness's home was also looted by the AFRC /RUF.
PN TF1 -123	1, 2, 3, 4, 5, 9, 10, 13	This witness will testify that in June 1997 AFRC fighters burnt down the houses of Kamajors and civilians in Kenema. B S Massaquoi (BSM), Andrew Quee and others were arrested, beaten and tortured, then transferred into police custody. They were eventually released. Almost all were rearrested and taken to the Police Station in Kenema. They were collected and signed for by AFRC Military Police. The witness saw BSM in AFRC Brigade HQ the following day. He later received information that 5 of them were killed. The witness attended the burial of BSM. Sam Bockarie and Eddie Kanneh were in charge of the AFRC/RUF. The witness was also present at Police Station in Kenema when 4 people were executed by the AFRC/RUF, including one Bunny Whailer. The witness saw many properties looted by the AFRC. The witness also saw Issa Sesay visit Kenema from time to time.

PN TF1-125	1, 3, 4, 5, 9, 10	This witness will testify that when the AFRC/RUF took over Kenema they attacked Kamajor residences and looted the houses. They then attacked ECOMOG. The witness saw summary executions of 4 men at the Kenema Police Station - S Cole, One Bangura, B. Whailer and one other unknown. The witness later received information that BS Massaquoi (BSM) and others were arrested by the AFRC Junta and had been detained at the AFRC Secretariat. The witness observed wounds on BSM and other detainees when they were transferred to Police Custody. After being released, BSM and others were re-arrested in February 1998. Later the suspects were handed over to the AFRC at Kenema Police Station. The six suspects included BSM, Andrew Quee, Issa Ansumana, Abdulai Bockarie, Abdulai Saidu Quee and John Swaray. The witness states that in the police compound one of the soldiers stabbed BSM on his head with a bayonet and kicked him. The witness was later informed that the six people were killed by soldiers and the bodies abandoned. The witness referred to the Police Record book evidencing the hand over.
PN TF1-039	1, 2, 3, 4, 5	This witness will testify that he was informed that B S Massaquoi (BSM) was killed. The witness went to the mass grave at Dorwaila near Labayayei Stream, Kenema, to identify him. While the witness was at the mass grave he saw about nine corpses and identified one of them as BSM. The witness did not recognise any of the other corpses.
PN TF1 -121	1, 2, 3, 4, 5, 9, 10, 13	This witness will testify to being present when Sam Bockarie (aka Mosquito) arrived to arrest Andrew Quee. Mosquito identified himself on coming out from vehicle. During the arrest Mosquito threatened to shoot the witness. The witness's belongings were also seized and taken away. The witness and others went to the AFRC Secretariat that evening. The witness observed wounds on Andrew Quee's (AQ) body. He was bleeding. The witness never saw AQ again.
PN TF1 -126	1, 3, 4, 5, 9, 10	The witness will testify that he learned of arrest B S Massaquoi (BSM) and his transfer to the AFRC Secretariat. The witness went there and saw BSM and

		<p>others secured in a room. BSM told him that he had been arrested by SB himself on allegations of supporting the Kamajors. The witness observed that BSM and others had been seriously tortured. BSM and the others were later released. BSM was rearrested. The witness went to CID Kenema where he was informed that BSM was transferred to the AFRC Brigade HQ. The witness was advised to move very fast to save BSM. On Sunday 8 February 1998 the witness was informed that BSM and 8 others had been killed. The witness obtained information on where BSM and others were buried. In March 1998 family members exhumed the remains of BSM.</p>
PN TF1 -128	1, 2, 3, 4, 5, 9, 10	<p>This witness will testify that sometime between June 1997 and January 1998 after AFRC/RUF had taken over control in Kenema, he was informed that one Muhalem was shot by Sam Bockarie (SB). The witness went to Muhalem's house in Kenema and saw his mutilated remains. The Witness also learned of BS Massaquoi's (BSM) arrest and detention. He received information that BSM and others were inhumanely treated and then killed by AFRC/RUF. The witness also received information about the site where BSM was killed and buried. He went to the mass grave and exhumed the remains of BSM. The witness saw about nine skeletal remains. He identified BSM and even saw the rope sunk in his arm with which he had been tied.</p>
PN TF1-299	1, 2, 3, 4, 5, 10, 12	<p>This witness will testify that in February or March 1997 the AFRC/RUF took control in Tongo. They forced civilians to work for them, digging diamonds and clearing land. The RUF/AFRC would shoot people when they were digging diamonds in Cyborg. This happened daily. The witness believes that people were shot when they got tired of working. The witness saw them shooting more than 15 times. The RUF, who were guarding the slave laborers, did the shooting. The bodies were never buried.</p>
PN TF1-060	1, 2, 3, 4, 5, 6, 8, 10, 11, 12	<p>This witness will testify that AFRC/RUF attacked and took over Tongo field from Kamajors on 11 Aug 1997. The attack was led by Sam Bockarie. The witness</p>

		states that many civilians were captured and forced to work at Cyborg. Many complaints were made of atrocities committed by rebels, including the rape of 4 girls. Many people died when sands collapsed and buried them alive in the pit. The witness states hundreds died. The witness also says that many people were shot by small boys who were armed with guns. The houses of local dignitaries were burnt. The witness saw 2 dead bodies of people killed by rebels. During and after the conflict between rebels and Kamajors, the AFRC/RUF would kill any civilians found in villages. In Bumpah 9 people were killed by rebels on suspicion of being Kamajors. The witness was held as a hostage and threatened with death if the Kamajors attacked.
PN TF1 -062	1, 2, 3, 4, 5, 10, 12	The witness will testify that the Kamajors were mining up to August 1997 when the AFRC/RUF attacked and drove them off. The mine called Cyborg which Kamajors had mined with forced labor reopened under AFRC/RUF who did the same. People were forced to mine 2 days a week for the benefit of the government. Sometimes rebels shot into the general area. 200 civilians died in landslides caused by panicking miners running away.
PN TF1 - 034	1, 4, 5, 9, 10, 11, 12	This witness will testify that between August 1997 and January 1998 the AFRC/RUF forced people to mine for them. Those who refused were killed. Others were killed for no cause. The witness saw a friend shot to death. Civilians were taken in large numbers to mine on the outskirts of Tongo and around Cyborg. Diamonds were taken to Kenema and given Sam Bockarie aka Mosquito to bring back arms and ammunition. Rebels shot at civilians engaged in mining at Cyborg randomly with their weapons. They did this to terrorize civilians into submission. The witness was forced to mine for the Junta's almost everyday and received no pay. From August to December 1997 Mosquito came about four times per month to collect diamonds. Mosquito would order the execution of any AFRC/RUF who tried to hide or conceal a diamond. During that time, the raping of girls and women was rampant. Although the RUF and SLA were present together, the RUF was clearly in charge. The witness heard from

		others that Issa Sesay came to Tongo Field.
PN TF1-031	3, 4, 5, 9, 10, 11, 12	The witness was the chairman at Cyborg Mining Pit. He saw child soldiers, called SBU's brought by Sam Bockarie (SB). The boys were around 10 years and armed with guns. They had to guard Cyborg Pit and shoot anybody who went there without authorization. The witness was beaten with sticks, rubbers and wires. SB threatened to kill him if Kamajors attacked. Many people were killed when guns were fired and grenades thrown at miners. People were subjected to threats molestations and punishment from SB and his men.
PN TF -129	1, 2, 3, 4, 5, 9, 10	This witness will testify that in October 1997 he was arrested on the instruction of Sam Bockarie (SB) for supporting the Kamajors. Issa Sesay (IS) came to witness's premises and assaulted him with a firearm. The witness was told by IS that he was to be taken to SB dead or alive on SB's orders. The witness was taken to SB at the AFRC Secretariat. There SB told him that he was going to beat him to death. Then SB and his men gave the witness a severe beating with rifles, pistols and strips of a tire. Additionally SB wounded the witness with a pistol on his forehead and SB told him to leave Kenema. The witness was arrested on 12 January 1998 and detained. The witness saw B S Massaquoi (BSM) on the 14 January 1998 and also saw SB and his men give a severe beating to BSM and others. The AFRC arrested many people on that day. Detainees were held, beaten and wounded. Kamajors were shot on the spot.
PN TF -037	1, 2, 3, 4, 5, 9, 10	This witness will testify that during the AFRC/RUF regime in Kenema B.S Massaquoi (BSM) was arrested by AFRC/RUF. The witness later went to the Police Station and spoke to BSM. The witness saw evidence of torture. BSM was released but was afterwards rearrested on order of Sam Bockarie (SB). The witness slept at the Salvation Church next to Brigade HQ and saw a chain of people including BSM and Andrew Quee led away from the HQ. SB and RUF were there. The witness later heard a rumor that all were killed by AFRC/RUF that day. The witness was also informed about the killings of S. Kamara and M.

		Fitwai. Issa Sesay was one of SB's top Commanders who stayed with SB during the AFRC time in Kenema.
PN TF1-035	1, 2, 3, 4, 5, 10, 12	The witness will testify that in August 1997 Sam Bockarie (SB) came to Tongo/Cyborg Pit. Civilians were forced to mine for the AFRC/RUF for 5 hours each day. They forced 1000's to work and opened fire on people at least 20 times. 200 people died from mine collapse and from shooting. The AFRC/RUF maintained a punishment pit for civilians. Morris Kallon was present, particularly when civilians were killed. During 1997 the witness saw Kallon give an order to shoot civilians, including children. The witness often saw Issa Sesay in Tongo collecting diamonds. The witness was told that Augustine Gbao also visited the mines during this period. All of the big commanders resided at the Labo Camp, about 30-40 yards away from the Cyborg pit.
PN TF1-045	1, 2, 6, 8, 10, 12	This witness will testify that he was an RUF Lieutenant. During the time when AFRC took power from Kabbah, the witness was captured with his brother and sister aged 7 and 12 respectively. The witness received military training. He was present when Sam Bockarie (SB) ordered attacks on Moyamba and Tongo Fields. Issa Sesay (IS) was also present. The witness states that he saw civilians being forced to mine diamonds at Cyborg Pit for the AFRC, especially for SB. Civilians and sometimes junior officers were arrested and made to mine diamonds at gun point. The witness saw SB collect diamonds. He saw Johnny Paul Koroma (JPK) placed under arrest. He also saw IS taking JPK's wife away. She later returned and claimed that IS had raped her

1375

KONO CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF -222	3, 4, 5	This witness will testify that in 2001 he discovered many human bones and skulls in his compound at Gborie Street, behind Kamachende Street, Koidu and buried them in an old well in the compound. Later he heard that rebels had killed people in the compound.
PN TF1-303	1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13	This witness will testify that shortly after Kabbah was overthrown the rebels started killing, looting and burning houses in the Koidu Area. The witness was captured along with three other females and brought to Koidu. The Witness was held at gun point and raped each night for a week. She became a rebel's "woman". The witness fled from ECOMOG along with rebels to rebel camps. At the camps she heard the rebels talk about the number of people they killed and raped, and the number of houses burnt. She heard that Sam Bockarie aka Mosquito had sent instructions that instead of killing, the rebels were to start chopping off hands and feet and putting padlocks on the mouth of victims. Following subsequent raids the rebels would talk about the number of people whose hands they had chopped off, or whose feet they had chopped off.
PN TF1-217	1, 2, 3, 4, 5, 6, 7, 8, 9, 10	This witness will testify that after the February 1998 ECOMOG Intervention, AFRC and RUF forces occupied Koidu. Rape became frequent. The Kamajors expelled the rebels but shortly afterwards AFRC/RUF recaptured the town. After re-entry the rebels burnt the town. The rebels captured and abducted 10 girls including the witness's sister. The witness and others were later captured by mixture of AFRC and RUF rebels. The civilians were divided into 4 groups (one for young children, one for young girls, the third and fourth for men and boys). The witness saw 20 dead bodies of civilians. The witness also found the beheaded bodies of captives killed by rebels from Tombudu. The rebels put 26 people from the witness's group in house and set it on fire. The Rebel commander authorised the rape of any of the women and girls left in the groups.

		<p>The witness was forced to watch his wife raped by 8 men. She and other women who had been raped were later stabbed to death. The witness then had an arm amputated after 11 strikes and was told to go to Kabbah with a message. Others were shot dead. The witness was also wounded on his back when a rebel struck him with a bayonet. The rebels identified themselves as "Juntas". The witness saw at least 4 others amputated.</p>
PN TF1-270	1, 2, 3, 4, 5, 12	<p>This witness will testify that she was abducted from Sulukundu by the rebels sometimes in 1996 just after "Operation Pay Yourself". Prior to her capture the witness saw rebels burning houses and people being killed. The witness was taken to Koidu. As the group proceeded they captured many civilians. The girls were given to rebels as wives and as domestic labor. The witness was told that as long as Sankoh was imprisoned she would remain captive. The witness had to perform domestic chores together with captive children. The witness was eventually taken to Borbu where she stayed for 5 years. During this time the witness saw Col. Issa and Sam Bockarie aka Mosquito visit. The witness was eventually released. The witness heard the term "Operation Pay Yourself" from other civilians. It was used in reference to the looting and burning carried out by rebels when they attacked Kono during the time witness was abducted.</p>
PN TFI-195	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13	<p>This witness will testify that she was captured with 13 others by rebels. The Commander of the rebels ordered the civilians to be killed. One soldier stole money and some other small items from the witness. She and the other women were raped. The witness saw the amputation of six of the captured men. The rebels made the women clap and laugh at the amputations. They were beaten by the rebels if they did not. The rebels tried to amputate the witness's arm. A child combatant did all the amputations. She and the six other women were taken to the main road, forced to strip naked and raped. Women were raped with foreign objects (sticks). The witness was raped by two rebels and beaten all over her body with gun butts. Of the seven women, five women were beaten to death. The witness said that she saw John Paul Koroma (JPK) at Komende. Three</p>

		houses were burnt by JPK's men. She was told by the rebels that the operation was Operation No Living Thing.
PN TFI-074	1, 2, 9, 10, 12	This witness will testify that in May 1998 he was with his family when captured by the RUF in Yomandu. His father was beaten then released. The witness and his younger brother were taken to Kaima. Thirteen more captives were brought by the rebels. The captives were invited to join rebels. An AFRC man arrived. The witness and other captives were marked. Sword blades were used to disfigure the witness and others with the symbols RUF and AFRC. The witness was given to Captain Barry. He saw Barry in possession of amputation tools and 7 amputated hands. The witness was used for domestic work for the RUF men. Some of the others were trained as rebels. They were trained to fight and were given weapons. The witness was held by RUF until disarmament in 2001.
PN TFI-202	1, 2, 3, 4, 5, 6, 8, 9 12, 13	This witness will testify that in 1997 in Koidu Town she saw armed soldiers wearing full combat looting 3 stores in the Opera area. This was during Operation Pay Yourself. The witness and her family fled to Farandu village. There was also looting by soldiers in Farandu. The witness was hiding in the bush with family when they were surrounded by rebels. The rebels abducted over 20 young children aged from 7 years up. The rebels forced the abducted children to carry looted items. The rebels killed one person. Later the witness was captured again with family near Mansofinia in Koindugu District. The rebels managed to capture 16 civilians. The Rebel commander read out a letter which stated that one man should be killed and the rest should be amputated. The rebels later killed 2 and amputated 7 people. The witness said her husband's second wife, was raped by 2 rebels. She had given birth 23 days previously. After she was raped, she was released.
PN TF1-067	1, 3, 4, 5	This witness will testify to an incident occurring during the dry season of 1998 where rebels captured and killed many of his family members at Foendor. The heads of the victims were reportedly put in a bag to be given by the rebels to

		<p>their boss in Tombodu. The witness heard the killings take place as his relatives and others pleaded for their lives. Later he saw many dead bodies, some beheaded, including some dead family members but did not get a chance to confirm identification except for 2. The witness's wife confirmed killings to him. She carried severed heads in a bag to Tombodu. The Commanders were Savage, CO Staff Alhaji and CO Jbonda.</p>
PN TF1-064	1, 3, 4, 5, 10	<p>This witness will testify that during the dry season of 1998 17 people (men women and children) were hacked to death with machetes in Foendor. The victims included 2 of the witness's children. The perpetrators beheaded the victims. The heads of the deceased were placed in a bag. The witness was ordered to carry the heads to Tombodu. At Tombodu, the leader of the perpetrators reported the killings to his superior who was dressed in full military uniform and surrounded by many soldiers in uniform. The witness saw body of another victim who had been beheaded</p>
PN TF1-076	1, 6, 8	<p>This witness will testify that during the dry season after Kabbah was overthrown she was raped by rebels wearing mixed combat/civilian clothing in bush near Foender. The witness was raped near the location where her uncle and others were hiding on Saturday. One rebel forced her to strip, tearing her lappa off and threatening to shoot her if refused or if she moved. The rebel virginated her. The witness screamed and cried in pain. The rebel again threatened to kill her if she continued to cry. The witness found by a neighbor.</p>
PN TF1-066	1, 6, 8, 9, 13	<p>This witness will testify that while in bush near Foender he was accosted and captured with his son, uncle and sister in law by armed men. He was beaten severely with a weapon and forced to give up his property. The witness saw his wife's sister being raped at gun point.</p>
PN TFI-306	1, 6, 8, 9, 13	<p>This witness will testify that in March 1998 after attack on Koidu and Foendor he fled to the bush with his family. He was confronted in the bush by 2 rebel</p>

		<p>soldiers. They were held at gunpoint. The witness sustained a severe beating from the rebels, as result of which he is suffering sequelae. One of the rebel soldiers raped his niece under threat of death in front of the witness. The soldiers then robbed him. The witness saw his nephew being escorted under gun point by a man in plain clothes. His nephew had a deep wound on his head with blood running all over his body. He told the witness that the same man wounded him with a gun.</p>
PN TFI -068	1, 2, 3, 4, 5, 13	<p>This witness will testify that on 16 June 1998 a group of men arrived and attacked his house. They rushed into the house shooting. Some went upstairs and some entered the house from downstairs. The witness's sister was killed upstairs. The witness heard one of the attackers giving instructions to line people up against the wall and to chop off their hands. He heard the voice of the same person yell "Operation No Living Thing". The commander said all of them must be killed. The witness then heard gun shots being fired. Many rounds were fired. While the attackers were on this rampage, an armored vehicle containing ECOMOG officers arrived. The attackers fled. There were wounded and dead people outside the house. The witness counted twenty one corpses, six of which were of his family members. Prior to this incident the rebels burned down the witness's house, took his property and abducted his 13-year old daughter whom he has never seen again.</p>
PN TFI-308	1, 2, 3, 4, 5	<p>This witness will testify that she was in Mortema when rebels attacked Kono on 6 June 1998. The witness was with about 50 people in a house when "rebels" attacked it. The witness heard name of Col. Issa amongst them. This was time of "Operation No Living Thing." The rebels entered the house and asked if people were Kamajors. The rebels opened fire. The witness was wounded. Of 50 people in the in house, 32 were killed. The witness was told this by her younger brother who helped in bury the dead in a mass grave at Mortema.</p>
PN TF1 307	1, 2, 3, 4, 5, 9	<p>This witness will testify that in 1998 she was in a house in Mortema, Kono when</p>

		rebels attacked it. The Rebels entered the house and Col. Issa said that civilians would pay the price since they had refused AFRC rule. The witness heard that people were burned alive in houses in Koidu, including her parents, and that Col. Issa had given order for "Operation No Living Thing." The Witness was shot in the legs and arms while in the house. Lots of people were killed in this house in Mortema.
PN TF1-216	1, 2, 3, 4, 5, 8, 9, 10, 13	This witness will testify that rebels came to Paema after the ECOMOG Intervention and commenced "Operation Pay Yourself". They looted properties and shot civilians. Later the witness was taken captive by rebels in his home village of Paema, near Tombudu. The witness was tied up at his house and his children were burned alive in his presence. In April 1998 the witness was taken with 5 others to Tombudu. There the 5 were amputated. Three died almost immediately. After the amputation the witness was told to go to Kabbah and get hands back since they voted for him. The amputation occurred on 14 April 1998. Before this time the witness saw JPK and other senior figures in Paema during Operation Pay Yourself.
PN TF1 -302	1, 2, 3, 4, 5, 6, 8, 9, 12, 13	This witness will testify that she was captured by the RUF in Waterloo and taken to Tombudu. There were over 200-300 civilians there. Some civilians, including women, had been killed because they had tried to escape. They had been beheaded and their heads were impaled on a stick as a warning against attempts to escape. The witness saw three children being thrown into the latrines for crying. The witness was publicly raped by three rebels. The witness knows of 2 others raped. On some days up to 10 civilians would be killed by Savage or on his orders. The witness saw a house full of captured civilians burnt to death. The witness said that no one survived the incident. In Tombodu, the order was given to mark civilians who tried to escape with "RUF". They were marked with a razor blade. Witness saw about 10-15 women, men and children who had been marked.

PN TF1-014	1, 2, 3, 4, 5	This witness will testify that sometime in 1998 during the AFRC/RUF period the witness saw a group of AFRC/RUF captives brought to Tombodu. The witness identified Staff Alhaji. The witness counted twenty seven people who were all men in their thirties and forties and one boy of about eleven (11) years old who was later released. Staff Alhaji ordered their hands to be tied at their back and ordered more than ten armed AFRC/RUF men to put them in a house. The house was burnt and all in house perished.
PN TFI -198	1, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13	This witness will testify that rebels attacked villages at the end of the 1998 dry season. The rebels robbed, looted and generally mistreated civilians for supporting President Kabbah. The rebel commander was a boy of 15. The rebels forced civilians to carry looted items. The witness and her husband were captured in the bush by rebels who stole their belongings. The witness was stripped naked and after refusing to have sex, a rebel inserted a stick in her vagina. This was witnessed by a neighbour. In turn another civilian was forced to rape that neighbor. The Rebel beat the witness and stabbed her on her right shoulder blade. The witness's husband and other men were abducted and forced to carry looted items. She learnt later that her husband was taken to Yardu where he was amputated. Her husband told her that he witnessed the killing of five men who were cut in the back of their neck by the rebels. The witness also saw people arrested and burnt
PN TF1-197	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13	This witness will testify that he saw AFRC/RUF rebels kill 2 civilians in Tombodu after the ECOMOG intervention in Freetown. The witness was captured in the bush. He was beaten and had his valuables stolen. Rebels later captured the witness again and took him to Tombodu. The witness saw rebels rape a woman and the witness and 2 other men were beaten. The witness and 5 other men taken to the parking ground in Tombodu where the witness saw 3 dead bodies. The witness escaped. Later he saw injuries sustained by friends/neighbors, one whose hand had been amputated and the other who was burnt by the rebels who poured kerosene over him. The witness was captured a third time and

		taken to Yardu. The rebel commander ordered his amputation. The witness's left hand was amputated. Rebels beat, cut and shot to death 6 other men. The witness given letter for Kabbah. Witness later saw 5 amputees in Koaquima whom he knew.
PN TF1- 072	1, 2, 3, 4, 5, 9, 12	This witness will testify that he was captured by armed men dressed in military uniform on 8 March 1998. The witness was tied up and brought to Tombodu where there were fourteen captives. The witness was beaten by rebel commander Savage with an iron rod. Savage slashed his right leg with a machete and stabbed him with his bayonet on his side. He also cut the witness's hand because he had supported the Kabbah Government. When Savage cut the witness's hand, he said, "We are cutting off your hand because we want to attack your government, and because you voted for Tejan Kabbah." At that point the other people got up and started to run. Savage gave orders that they be shot and they were. Only two people including the witness survived. Eleven people were killed. The witness later escaped. The witness heard from others in Tombodu that Johnny Paul Koroma and his men were occupying Kwidadu, 33 miles from Kono.
PN TF1 -019	1, 2, 3, 4, 5, 6, 7, 8, 13	This witness will testify that in 1997, shortly after the take over of the AFRC/RUF a group of soldiers and RUF men captured him and raped his wife. The perpetrators were identified as AFRC. He witnessed the rape. The men then went into house and stole the witness's goods. Afterwards he moved to Yardu On 16 April 1998 AFRC/RUF men came to the village at night and burnt houses. In a village of about one hundred houses only a few remained. The witness's grandmother was captured by the rebels who cut her throat with a knife. One other man was also killed. The witness was told that fifty or sixty people were abducted from Somoya, in the Sando Chiefdom, and brought to Tombodu. The witness heard that all of them were put into a house and burnt alive. The witness was told that the man who did this was Staff Alhaji, a soldier with the AFRC.

PN TF1 -018	1, 6, 7, 8, 13	This witness will testify that while in Koidu during the Junta period he witnessed looting by the RUF/SLA. The witness was captured during Operation No Living thing by 10 armed rebels. He was taken to Tomandu where rebels had 10 abducted women and 7 men. The rebels sexually abused the women who were taken one by one to a house. Along the way to Kissi Town, in Komendeh, the rebel Commander ordered the women to be divided amongst men as wives. Each armed men took possession of a woman. The witness escaped before reaching Kissi Town. All these events happened after ECOMOG intervention in Kono.
PN TF1 -016	1, 6, 7, 8, 9, 12	This witness will testify that she was captured in Tomandu. The witness saw captured men being marked with letters RUF. There were thirteen captives all together, seven women and six men. The captives were forced to carry food for the rebels to Tomandu. The witness taken to Kissy town where RUF distributed the women as wives for the rebel men. A rebel leader took witness's eleven year old daughter to a house and raped her. The witness could hear her screaming. The witness was given to a rebel as his wife. Along with the other captured women she was forced to find food and cook, wash clothes for the rebels. If they refused they were beaten. At three different times rebels tried to force the witness under threat of death to have sex.
PN TF1-218	1, 2, 3, 4, 5, 6, 7, 8, 9,13	This witness will testify that he was in Bumpah in Kono district when rebels attacked. He was captured, beaten and taken to Cookery junction with 9 other civilians. The Rebels were looting villages at that time. The rebels said that civilians were responsible for ECOMOG and therefore all villagers except one would be killed to deliver a message to Kabbah. The rebels forced a couple to have sex in public and abused the couple's 10 year old daughter. The rebels then raped the witness vaginally and anally. The witness afterwards escaped. The witness's son later told her that others were shot and that he faked death and had slept with dead bodies. The witness heard that villagers were burned alive in Bumpah. The witness's uncle was amputated in this attack. One of the

		witness's brothers almost had his hand amputated by the rebels. The witness heard that the rebels abducted many villagers.
PN TF1 -192	1, 2, 3, 4, 5, 6, 7, 8, 9, 12	This witness will testify that he was captured in April/May 1998 by rebels in Boimafoidu. 30 Civilians were captured. The witness saw the murder of a 60 year old woman. He was forced with 12 others to strip and have sex with captured girls. He saw the sexual mutilation of one girl for failing to arouse a man. The captured women were taken to nearby farm house and he saw rebel who inserted a stick into the vagina of one girl. The rebels then commenced to amputate arms of men. The witness was first. His arm severely injured but not severed. The witness and others were told to go to President Kabbah for new limbs. The witness also saw the abduction of 2 boys by rebels.
PN TF1-206	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13	This witness will testify that during mid April 1998 his village was attacked by 100-200 rebels pretending to be Kamajors. The houses were looted and civilians forced out at gunpoint. There were many small boys, some as young as 10 years old. The witness saw rebels cut an old woman's throat. There were 45 captive civilians. Men and women were segregated and forced to strip. The rebels then forced people to have sex. The witness was forced to have sex with a neighbor's sister. One boy was cut on the back for refusing to have sex. The rebels then started to perform amputations. Five people who protested were killed outright with machetes. The witness's left hand was amputated and rebels then cut the right hand of the witness's small brother, but he didn't lose his hand. The rebels claimed that civilians supported Tejan Kabbah. The witness knows of 14 people who had either limbs amputated or were the subject of attempted amputations. The witness heard that hands were collected and that the rebels threatened to wear them as necklaces.
PN TFI - 305	1, 2, 6, 7, 8, 11, 13	This witness will testify that during the 1998 dry season AFRC rebels captured and abducted her. There were several child combatants. The rebels stripped the witness and told her to lie on the ground. They threatened to kill her if she

		<p>refused to have sex. The witness had just been initiated and was a virgin. Eight rebels raped her one after the other. The witness bled profusely. The rebels left with items that they had looted. They stole fine clothes but left the other ones. The rebels threatened to kill the witness if they ever saw her again.</p>
PN TF1 -014	1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13	<p>This witness will testify that in March 1998 he was captured by the RUF and taken to Koidu. The witness saw many dead bodies of men and women. He was taken before Major Rocky at premises at Kamachende Street. Men, women and children were separated. Maj. Rocky opened fire and about 100 civilians were killed. Maj. Rocky reported the killing to Rambo, who had to consult with the High Command, particularly Mosquito (aka Sam Bockerie). The witness was taken to a Mosque in Koidu. Morris Kallon was present. While in captivity the witness saw many captured civilians. There were many young girls who were used for sex. Captured women were forced to become sex partners. The witness saw the RUF sending boys to burn houses and witnessed the burning. The witness saw many captured civilians. Men and women with marked with RUF and AFRC using razor blade, knives or pieces of metals. The captured civilians were used as laborers and taken on food finding missions. They carried the loads back on their heads. If anybody complained that he was tired, he would be shot instantly.</p>
PN TF1 -263	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 17	<p>This witness will testify that he and his 3 brothers were abducted by RUF rebels in February 1998 from Koidu. The witness spent over two years with them. His older sister and uncle were murdered by rebels and houses were burn. The witness's father suffered a single arm amputation by rebels. Two of his brothers were abducted and forced to fight or used as domestic labour. He saw rebels killing civilians in areas around Koidu Town which were under the command of Issa Sesay and Morris Kallon. There were many child soldiers under the age of 15 there. He saw older men with their hands tied behind their backs shot in the presence of Issa Sesay. All abuses were allegedly perpetrated by RUF/AFRC rebels based in Kono District. At Kissy Town camp the witness saw about 300 abducted civilians. Civilians were forced to go to Kailahun for Military training.</p>

		Sam Bockarie aka Mosquito_and Sesay were present on completion of the training. The witness went to Tombudu and Krubola from where attacks were carried out. The witness saw rebels raping women in Kabala. Issa Sesay went to attack Kono. Following this the RUF attacked Magburaka and Makeni. Issa Sesay and Superman were involved in the attack along with 55. UN Peacekeepers were attacked in Makeni and Issa Sesay was involved in the looting of the UN base. From Koidu trucks of soldiers and ammunition were sent to support the Freetown invasion.
PN TF1 -078	1, 4, 5, 9,10, 12, 13	This witness will testify that on 28 March 1998 the RUF captured him with his family and several other civilians. All their belongings were looted. The witness was beaten up and asked for diamonds, gold and dollars. He was taken to Koidu and there saw one hundred and eighty other captured civilians. The witness was forced to move to another town with rebels. People died of starvation. The witness became part of the RUF administration. The witness saw the open execution of RUF combatants accused of crimes. The witness learned of the mass killing of civilians by one Major Rocky. Sometime in December 1999 the AFRC and RUF captured the Kamajor Chiefdom. Most of the foods were looted so many people there died of starvation. The witness met General Issa Sesay who led the attack on Kono in December 1998. Many civilians were killed in the attack. Whilst in Koidu many civilians were captured and forced to work in the diamond mines for the RUF and AFRC. People were tied up and beaten if they refused. The captives were not fed. Issa Sesay of the RUF was there and as the overall commander and knew about abuses. Morris Kallon was a Brigade Major in Kono.
PN TFI -219	1, 2, 3, 4, 5, 9, 12 and 13	This witness will testify that he was in Motema when rebels attacked. There were some child combatants, about 10 years old. Rebels captured the witness but released him afterwards. The witness was wounded by a child soldier and says that the rebels threw acid on his wounds. Villagers told the witness of massacre in house in which his wife had been hiding. He found family members

		<p>dead. The witness heard one rebel call Issa say lets go and rebels call Operation No Living Thing. In Bandafala the rebels burned houses and took the witness's goats. The witness also saw the rebels capture men and force them to carry loads. He heard the rebels saying that this was Operation Pay Yourself. He heard the rebels referring to their bosses who were called "Issa," "Rambo," "Killer" and "Boss Morrie" who the witness believes is Morris Kallon.</p>
PN- TFI -071	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13	<p>This witness will provide evidence of the chain of command in the RUF, including how commands came from Gen. Issa to Morris Kallon to lower ranking commanders. The witness will give evidence of atrocities during the AFRC/RUF retreat to Kono after the intervention, including killings and lootings. The witness will testify to forced mining by the RUF in Kono, including the handing over of diamonds and instructions on such from Issa Sesay. The witness will give evidence of forced mining by abducted civilians who were stripped naked, beaten and not given food, and of deaths from starvation and exhaustion. The witness will give evidence of the reporting of mining activities to Issa Sesay. The witness will provide evidence of rapes, burning of civilian homes, the mass killings of over 60 people in Koidu, and how these events were reported to the senior RUF command, including Morris Kallon. The witness will testify that for rape and innocent killings, action was taken and RUF perpetrators were executed on high command from Issa Sesay. The witness will give evidence on how abducted UNAMSIL peacekeepers were given escort en route from Makeni to Kailahun through Kono district.</p>
PN TF1 - 304	1, 4, 5, 9,12	<p>This witness will testify that after February 1999 RUF rebels forced civilians to mine for them. Workers were beaten by rebels. Many people died in the mines. During the mining period Issa Sesay collected diamonds regularly. Issa Sesay gave instructions that any civilian who refused to work in mines should be disciplined. Complaints were made to mine management about the workers' treatment and conditions which were passed on to Issa Sesay, but no action was taken to prevent the abuses. If there was a reduction in manpower in the mines</p>

		for any reason Issa Sesay gave instructions to go out and forcibly bring in other workers. The witness saw people shot on orders of the mine Officer in Charge.
PN TF1-017	1, 2 ,6, 7, 8, 12	This witness will testify that she was captured in Tombodu in 1998 at 16 years of age and raped by rebels. She moved to Superman's camp before moving to Beudu, Kailahun where she encountered Sam Bockarie (Mosquito) and Issa Sesay. She witnessed Sesay leaving to attack Kono. She witnessed many captives there including women who were given to rebels. Women did cooking, laundry and shopping. Issa Sesay threatened that anyone attempting to escape from Buedu would be killed. The witness saw at least 2 abductees subjected to sexual slavery. In Beudu the witness saw Issa Sesay order his body guards to kill a civilian after alleging that civilians were corrupting the country.
PN TF1-077	1, 3, 4, 5, 9, 10, 11, 12	This witness will testify that in December 1999 he was captured by RUF rebels and taken to Tombodu with about fifty others. He was forced to dig for diamonds in Tombodu and told he would be killed if he refused. There were killings ordered by the RUF Officer in Charge of people who refused to mine. The witness saw people killed on orders of the OIC. No payment or food was given and miners were constantly subjected to beatings and starvation. The witness saw Issa Sesay come to Tombodu many times to pick up diamonds. Issa Sesay had to know as he came very often and would have seen the conditions. Sesay ordered people whom he found not working to be disciplined and beaten. On occasion people would also be shot. When Sesay came the body guards who accompanied him were child soldiers from the Small Boy's Unit. During this time each week at least one hundred people were brought by force to mine in Tombodu. Sick people were killed. Small Boys Units (SBU) were used at the Tombodu mines. Small boys were instructed to kill people whenever the RUF command desired. The witness saw the SBU kill people in the mining pits and throw the bodies into the water. Captured women were used for cooking and fishing and fetching water for the wives of the rebels.

PN TF1-012	1, 2, 3, 4, 5, 7, 9, 12	This witness will testify that after the ECOMOG Intervention, Johnny Paul Koroma (JPK) came to Tombodu and ordered Gullit, Savage and others to kill six people who did not support the AFRC. All were all shot. On the orders of JPK, Gullit, 55 and others burnt many houses in Tombodu. The witness saw people who tried to escape caught and either killed or amputated. Women were abducted from their families and forced to become rebel wives. Savage was left in charge in Tombodu. The witness saw Savage kill people. He witnessed Savage lock a large group of people into a house in Tombodu and set the house on fire killing all inside. Savage also amputated, killed and dumped people in a pit. Gullit also killed a lot of people. Tombodu was a killing zone. The witness saw Col. 55, Gullit and Staff Alhaji visit with Savage. General Issa was second in command to Foday Sankoh. People were caught and brought to Tombodu and forced to work in the mines. A lot of people died during this time because they were not fed and were often beaten up if they refused to work. The witness also saw Savage and Gullit kill people in connection with mining. The witness saw Issa Sesay visit the mines each day. The Chiefs made many complaints to the AFRC/RUF about the conditions and treatment of the laborers but this just resulted in them being beaten. Issa Sesay issued instructions to discipline those who did not work.
------------	-------------------------	--

BOMBALI CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF1-055	1, 2, 3, 4, 5, 8, 13	This witness will testify that Karina Was attacked in February some time after President Kabbah's restoration to power. The witness saw attackers assembling people they had captured, both from Karina and other towns, and heard orders being given to kill them and cut them. The witness saw people being killed with machetes. People were also killed when the attackers invaded the mosque. The witness saw people being abducted, including women who were stripped

		naked. Prior to the attack soldiers had come frequently to rob and loot from Karina.
PN TF1-156	1, 2, 3, 4, 5	The witness will testify that Bornoya was attacked. The witness stayed in his house. He heard noises and saw flames. When the attackers left, around 7:00 a.m., the witness saw the dead bodies of about 9 people. He recalls that about 15 people had been cut with machetes or knives and were taken for treatment. The witness's brother was abducted. His dead body was found in Karina later on the same day. Three of the witness's children were abducted and taken to Mandaha. Around the same time that morning, the witness was told that the attackers also launched attacks on the surrounding villages of Mayombo, Karina and Dariya. The witness saw smoke and flames coming from the direction of these surrounding villages.
PN TF1-056	1, 2, 3, 4, 5, 12	This witness will testify that Daraya Village, Karina was invaded by SLA soldiers after the ECOMOG intervention. The soldiers set fire to 5 houses. When the witness asked why they were doing so, he was stabbed with a machete. The witness saw the soldiers cut the throats of a mother and son. The witness also saw abducted people, including the witness's wife and twin 5 month old babies and his 19 year old son. His son was made to carry a bag on his head. The witness later found his wife's body near a bridge with knife wounds with the 2 suckling babies, and his son's body in Manyain village.
PN TF1-059	1, 2, 3, 4, 5, 13	This witness will testify that 1998 during the dry season he was in the mosque at 5am when Karina was attacked by armed men. Some of the men wore military uniforms and others civilian clothes. The witness saw armed men strike a villager with an axe in the face. Then witness heard the brother of victim cry out before hearing an instruction that he too should be killed. The witness ran from the village. Upon returning the witness saw the bodies of both brothers near the mosque. The witness also saw 3 other dead bodies. 5 houses in the town were also burnt.

139/

PN TF1-149	1, 2, 3, 4, 5, 89, 11, 12	This witness will testify that during May 1998 he heard of many villages being attacked and civilians killed by rebels. These included Bonoya, Mayumbo, Mandah, Kathantha. The witness saw two houses burning in Bonoya and met a woman who had had her arm amputated in Mayumbo. The rebels burnt most houses on 11 May in Kabunbgo, Maforey, Malokoko and Kakola where they also killed 1 old man. After rebels captured Makeni on December 23 1998 they came to Kamabai. The witness was told that Savage was the overall commander in the Kamabai area. The rebels had about 100 abducted civilians with them. The witness saw more than 20 child soldiers who were aged from 10 up. Savage moved to Fadugu. He took civilians from Kamabai including a 15 year old girl who was pregnant. The witness was told by her relatives that she died along the way.
PN TF1-041	1, 4, 5, 6, 8	This witness will testify that a large group of armed rebels wearing uniforms invaded Mandaha. She was captured along with 3 other women. The witness was stripped naked and forced to lie down. She was threatened with amputation and death if she resisted one rebel who inserted his penis into her mouth. The act was witnessed by other rebels. The rebel beat her with a stick afterwards. 5 or 6 days later the witness saw her son. His son told her that he had had his neck sliced and penis being chopped off by soldiers at Manhaha who had captured him. Her son died shortly afterwards.
PN TF1-207	1, 2, 9	The witness will testify that following reports of rebels approaching he fled with his family to Lohindi village. On the night of the 10 th May 1998 between 10:00 P.M. and 11: P.M. Rebels attacked the village and he was captured. The rebels were dressed in military combat uniforms. He was taken to the back of one house where he saw 2 adult males whose arms had already been amputated. The witness was interrogated by rebels who then amputated his right hand with a cutlass. After they had cut his hand off, one of the rebels told him that let him go to Tejan Kabbah to give him a new hand. The witness said from that point he left the scene with heavy pain and bleeding from the affected hand.

PN TF1-204	1, 9, 10	This witness will testify that on 23 December 1998 he went to Makombil village and stayed there for the safety of himself and family. On the 10 February 1999 armed men identified as RUF fighters entered the village. One of men identified him as serving member of the Sierra Leone Police Force. The witness was arrested and taken to Makeni. On arrival at Makeni the rebels interviewed him about his identity and he was taken to the RUF/AFRC Military Police. Following further questioning he was then taken to Makeni prison, stripped naked and given two hundred (200) lashes with a rubber called "Cobra".
PN TF1-290	1, 3, 4, 5	The witness will testify that the rebels attacked Gbendembu town at the end of 1998. At about 1am the witness was in his house and heard firing. He hid under the bed with children till morning. When he came outside ECOMOG soldiers told him that the rebels had killed a lot of soldiers and civilians. The witness saw the dead bodies of soldiers and civilians. There were 21 dead soldiers and 11 dead civilians. There were also dead rebels. The Witness assisted in the burial of the 11 civilians in a mass grave.
PN TF1-286	1, 2, 3, 4, 5, 9, 10	The witness will testify that around May 1998 he and others were stopped by rebels. At gun point the rebels took Le70,000, jeans and a bicycle from him. The rebels cut off the lower left arm of the witness, the hands of 2 others and the fingers of a fourth. The amputees were then told to go tell President Kabbah Kabbah to give them limbs and that the rebels were coming. One of the men in witness's group died after being amputated. The witness also saw one of the rebels kill 2 civilians who were in the witness's group with a bayonet.
PN TF1-309	1, 2, 4, 5, 9, 10	This witness will testify that he saw the killing of one companion and the wounding of another at Batkanu village. The witness saw that the village had been burnt. On 10 May 1998 the witness and his family were traveling to Makeni. They were stopped by rebels. The rebels struck the witness's father on his right arm with a machete. They then amputated his uncle, brother in law and the witness. The witness lost his right hand. The rebels told them to tell the

		ECOMOG forces that they are coming and to ask President Kabbah to give them hands as it was him they had voted for in the 1996 elections. One of the rebels then stabbed his unconscious father to death. The witness's grandmother could not walk and stayed behind with the rebels. The witness was later informed that she was also killed by the rebels. The witness's uncle could not stand the pain and died shortly after reaching Mabenji village. The witness eventually reached Makeni town and was admitted to the government hospital.
PN TF1-196	1, 2, 4, 5, 6, 8, 9, 10, 12	This witness will testify that she was hiding in the bush near Malama when rebels attacked villages nearby. She and other civilians were captured. One of the rebels told the witness she would be raped until she was helpless. The rebel then raped her after threatening to kill her if she refused. The rebels brought them to Batmis. The witness saw armed child soldiers. The captured civilians were given rice to pound. Some civilians escaped when sent to fetch water. The leader Mosquito ordered the amputations of others as a punishment. He also ordered the witness's husband to be killed. The witness saw her husband was killed with a cutlass before both her hands were amputated. The rebels told her that she should go to Kabbah who would give her back her hands. The witness saw rebels raping young suckling mothers in public. The witness saw other civilians being killed. The witness heard the rebels say that ten rebels had raped a woman in another village. She also heard the rebels threaten to rape women and virginate young girls.
PN TF1-343	1, 2, 9, 10	This witness will testify that in 1998 villagers would from time to time flee to the bush because of rebel activity. During 1998 while on the way to Makeni from Mateboi he and others were ambushed by armed men. They were taken before the leader of the armed men. The witness saw the double amputation of another man. The witness was ordered to stretch out his hands. The rebel told him that he would be free after having his hands cut and he should tell Tejan Kabba and ECOMOG that they were coming. Both of his hands were cut off by a man wielding an axe. The witness fainted afterwards. Upon recovering

		consciousness he saw the body of the other amputee.
PN TF1-268	1, 6, 8	The witness will testify that in 1998, at the time of rice planting, Rosors was invaded by armed men. Some were in combat uniform and some in ordinary clothes. A group of them gave chase to the witness and others. The witness was raped by 4 men from this group. A few hours later the witness's daughter showed up and reported that she also had been raped by men from the same group who had chased them. The witness saw blood stains on her daughter's clothing. Prior to the rape, her daughter was a virgin.
PN TF1-270	1, 6, 8, 9	This witness will testify that rebels invaded Rosors. Some of them were dressed in combat uniform. The witness was captured by 5 men in the bush. The witness was vaginally raped by 4 of the men. The fifth inserted his penis into her mouth. One of the men then cut her on the back of her neck with a knife. Another hit her on the left foot.
PN TF1-058	1, 2, 3, 4, 5, 9, 10, 13	The witness will testify that on 7 May 1998 he heard gun shots from a neighbouring village. Armed rebels then entered Karina. The witness and over 50 men and women were captured. The women were taken away and another group of strong men were given loads to carry. The remaining captives were lined up on the ground, accused of being Tejan Kabbah supporters and chopped with machetes. The witness was struck with a machete many times and was the only survivor of this group of 7. The witness saw as many as 200 armed men pass by. After attackers left, the witness saw many burnt houses in Karina and heard of others who sustained cuts and who were killed. The witness saw many dead bodies in Karina, Mayongbo, Daraya and Bomoya the following day.
PN TF1-289	1, 3, 4, 5,	This witness will testify that she was in Gbendembu when it was attacked. She saw 11 people shot.

PN TF1-232	1, 3, 4, 5, 12	This witness will testify that she was in Gbendembu when it was attacked at night some years ago. The witness saw about 11 people shot after having been lined up. When it was the witness's turn to be shot, she was asked to turn her back. She had her baby girl on her back. The bullet hit her baby girl on her right foot. The witness fell to the ground over her baby. Four of the witness's children were abducted.
PN TF1-267	1, 6, 8	This witness will testify that during the 1998 dry season, when ploughing in the swamps had already started and brushing of farms had been completed, armed men invaded Rosors. The witness was captured and raped by 5 of them. They told her they were soldiers. One of the men hit her finger with a gun butt and stabbed the side of her neck when she began to cry. The witness also heard another woman being raped.
PN TF1-159	1, 2, 3, 4, 5, 11, 12	This witness will testify that he was captured when a group of armed men, women and children invaded his village of Mafabu. The witness later learned that they were "junta". The junta killed people and burnt down the entire village. The witness was taken from Mafabu to Malama and Rosors. At Malama the group also killed people and burnt houses. At Rosors the soldiers and rebels operated a military training camp where the witness observed adults and children, all boys, being trained in military tactics and weaponry. The witness estimates that there were over 30 boys of varying ages. At Rosos the witness was forced to work for the rebels and soldiers.
PN TF1-031	1, 6, 7, 8, 11, 13	The witness will testify that 36 women and girls, including the witness, were captured at Karina. 55 was among the soldiers. Small boy soldiers ordered the women to undress. The witness initially refused to remove her underwear and was beaten. The women and girls were then tied together by rope and taken to Mandaha. At Mandaha girls, including some who were virgins, were raped. Older women were given to the captors as bush wives and forced to marry. Raping went on day and night, mostly to young girls. From Mandaha, the

		witness went to 3 villages with soldiers. 55 was in the group. The witness heard orders to burn, loot, and beat people given at these villages. The witness saw the soldiers burn many beautiful houses. The small boys wanted to kill her both others would not allow it and the witness was allowed to return to Karina with 6 small children.
PN TF1-048	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 17	The witness will testify that after the ECOMOG intervention in Makeni, Karina was attacked. Gullit and 55 were among the group that attacked. The witness saw houses burnt and many people killed. The witness and other women were stripped naked and tied together. The witness was taken as a wife by one Ibrahim. The witness was to Rosors by soldiers. Gullit and 55 were among the commanders there. At Rosors, captives and children were used for forced labor. The witness traveled from village to village with soldiers and saw the burning of villages. At Kortu the witness saw the double amputation of the hands of 2 men and the soldiers put letters in the pocket of the men, telling them to take it to President Kabbah. The witness accompanied the group to Freetown and heard SAJ Musa and 55 address the group about the mission. During the Jan 6 invasion of Freetown the witness saw homes being burnt in SLA/RUF controlled areas. At Kissy Police Barracks, she saw a number of soldiers chop off hands. On the retreat from Freetown the witness saw many corpses. The witness also saw abducted UNSAMIL Personnel in Makeni.
PN TF1-057	1, 4, 5, 12, 13	The witness will testify that he was captured and taken to Sarumadia, where there were lots of soldiers dressed in full combat uniform. The witness was with the soldiers for 4 years. He saw a man killed at Saramudia. The witness was taken to Krobola along with the soldiers. The RUF/AFRC were present at Krobola. The witness used for domestic work by a rebel and also went to the front line with him and carried his gun. The witness also participated in food gathering missions. The witness participated in various attacks, including at Port Loko. During these attacks the witness saw dead bodies. The witness saw fighting that led to a split between the soldiers and the RUF. The witness

		<p>accompanied the soldiers led by SAJ Musa to Freetown. Other commanders included the second in command Gullit, Bazzzy and 55. The group were killing people and burning houses along the way. The witness saw the body of SAJ Musa buried. Gullit replaced SAJ Musa as the leader. In Freetown the witness saw the gates to Pademba Road Prison opened. On the retreat from Freetown the witness was with the soldiers to Magbeni, later called Westside. The witness accompanied the Westside soldiers on attacks at Gberie Junction and Port Loko. On the way to Port Loko the witness saw the soldiers put people in a house and set it alight. The witness also saw one woman killed and another 4 dead bodies on the ground, including a pregnant woman whose stomach had been slit open. At Westside the witness saw 3 prisoners of war – 1 Guinean and 2 Malians. The witness saw the Malians captured during the Port Loko attack.</p>
PN TF1-174	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 14, 15, 16, 17	<p>This witness will testify that in 1998 the RUF/AFRC attacked and entered Makeni. The witness saw Issa Sesay, Morris Kallon, Augustine Gbao, Gullit and 55 in Makeni. During the first 3-4 days after the invasion of Makeni, the rebels engaged in widespread raping and looting. The witness saw the gang rape of a 15 or 16 year old girl who was a suckling mother. After that time Issa Sesay ordered that the raping, looting and other violence must stop. The witness himself saw civilians raped and heard of shootings and wounding. The witness saw abductions of both girls and boys. The commanders would choose the girls they liked. The witness saw many small boys being sent for military training. The witness knew of the plan for the SLA to attack Freetown, with backup from the RUF. Child soldiers were given drugs and the RUF did not stop recruiting them until the beginning of disarmament. Children were also used to watch the miners and punish them, by flogging or killing, if they did not work hard enough or tried to steal a diamond. Augustine Gbao threatened a NGO for assisting child soldiers. The witness also saw amputations used as a punishment. In February 2000 that Augustine Gbao gave the order to arrest all the UNAMSIL peacekeepers. The witness saw UNAMSIL hostages being mistreated and heard of the killing of one at Makeni hospital.</p>

PN TF1-243	1, 4, 5, 12	The witness will testify that after the ECOMOG intervention and the Junta flight from Freetown he was abducted from Gbendembu by soldiers/RUF. He and others were forced to carry loads to Rosos. While there he saw one man stabbed to death. An order was given to have the witness killed but it was not carried out. The witness was stabbed on the right hand as he put it up to protect his head from the blow of the cutlass. While in Rosos the witness saw Gullit and 55. After leaving Rosos Gullit told the witness he was one of the big men.
PN TF1-160	1, 14, 17	This witness will testify that while the AFRC were in power he heard rumours of looting by the AFRC. While in Makeni, the witness observed the abduction and confinement of UNAMSIL Kenyan and Zambian troops at the Paniamp area. The RUF commander in the area erected check points and posted RUF personnel at these check points, cut off the escape routes of the UNAMSIL troops and confined them to their base. The witness was told that these measures were taken on the instructions of the RUF high command in Makeni. The witness used to take water to the Kenyans while they were in confinement. After being confined for about 2 weeks, the Kenyans forced their way out. The witness recalls that the Zambians were abducted just a few days after the Kenyans had been in confinement. Gibril Massaquoi, Issa Sesay, Augustine Gbao and Morris Kallon were based in Makeni at the time and paid visits to the RUF Commander during the period of confinement of the UNAMSIL troops.
PN TF1-297	1, 14, 17	This witness will testify that at the end of January 1999, he visited a friend who was a priest at UMC Church Yeyema, Kono in rebel territory. The witness was told that the Zambatt UNAMSIL soldiers who had been abducted in Makeni had been brought to the Yengema Secondary School compound overnight. The witness went to Yengema Secondary School compound and saw more than 300 Zambatt Soldiers in the compound. They were dressed only in their undershirts and shorts. Their combat clothes were worn by the rebels. The Zambatt I soldiers were guarded by more than 50 armed guards. The guards included small boys. The witness was also told that there were Zambatt I UNAMSIL

		Soldiers at No. 11 camp in Tumbudu. At this time the witness knew that Issa Sesay was totally in charge of RUF Battle Field issues. He was the Battle Field Commander.
PN TF1-040	1, 12, 14, 17	This witness will testify that by January 1999 senior officers of RUF in Makeni included Issa Sesay, Augustine Gbao and Morris Kallon. Between 1999 and 2000 Issa Sesay left Makeni and settled in Kono, but periodically came to Makeni. In Makeni the RUF were forcing people to work for them and were also abducting people. On or about 5/5/00 the Witness saw Gbao's men seize a number of UNAMSIL vehicles after hearing Gbao give an order to do so. Later that day, at Independence Square, the witness saw a convoy of Zambian UNAMSIL Troops in their vehicles being escorted by RUF. The witness was later told that the Zambians were locked up at Teko barracks and then taken to Kono.
PN TF1-041	1, 14, 17	This witness will testify that in 1991 he was abducted by the RUF and made to work in the G5 section. In 1998 he was posted to Makeni. Issa Sesay was the overall Commander. Morris Kallon and Augustine Bao were also Commanders for Makeni. During disarmament period the witness heard Gbao and Kallon say that UNAMSIL was using force to disarm combatants. The witness heard Gbao and Kallon gave instructions to fight against UNAMSIL. The Witness heard about UNAMSIL abductions from RUF and AFRC troops.
PN TF1-186	11	This witness will testify that in July/August 1999 he was involved in negotiations with Meloski Kallon (RUF Commander in charge of Lunsar) about the release of 79 children. Present at this meeting were Augustine Gbao, Gibril Masaquoi, Meloski Kallon and Co. Ghadaffi. The RUF Commanders agreed that Caritas could have these children, but only after 3 attempts were the children handed over. In April 2000 the witness was involved in an attempt made to move 90 children from the Interim Care Centre in Makeni to the Western Area. Armed RUF intervened, including Augustine Gbao and Morris Kallon. They said these were their children, they would belong to their Small Boy Units (SBU's) and they

		wanted them back. Only after 1-2 weeks when the permission of Foday Sankoh was given were they able to transfer the children to Western Area.
PN TF1-083	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	This witness will testify that in August 1997 he was 11 years old and captured by S.A.J. Musa's soldiers in Kabala. His chest was marked RUF with a razor blade. His mother and father were also abducted by the soldiers. His father was killed. His mother was beaten and publicly disgraced by the SLA soldiers. The witness was forced to carry loads for the soldiers, usually ammunition boxes. The commanders of the witness's group included Rambo, Commando and Gullit. The witness was given drugs. The witness was with the rebels when they attacked villages. During those attacks he saw rebels kill, rape and amputate people, and also loot. After the split between SAJ Musa and Superman, the witness went to Makeni town with commanders like Gullit. In Kamakwie Town the witness saw Komba Gbundema and Morris Kallon kill, rape and amputate people. At this time the witness and other abductees were given 3 weeks training how to cork and fire. They were also were given drugs. In the month of February 1998 the witness and other soldiers launched attacks on government forces and their allies. Sometimes late in 1999 towards Christmas, the witness fought for two months in Kamakwie Town under the command of Morris Kallon.
PN TF1-294	1, 14, 17	This witness will testify that on 1 May 2000 he heard firing on Magburaka road. On returning to Makeni, he was told that some UNAMSIL personnel had been abducted by the RUF and taken to the RUF headquarters at Independence Square. The witness saw a convoy of UNAMSIL vehicles coming from the Freetown direction. RUF personnel were at the sides and on board the vehicles. The RUF personnel had seized weapons from the abducted troops. The witness heard news all over Makeni that Issa Sesay has instructed that the Zambians be taken to Kono. The Zambians were escorted to Kono by group of RUF personnel.

PN TF1-042	14, 16, 17	<p>This witness will testify that as a UN Milob he was taken hostage between 3 and 21 May 2000. At the Makeni DDR Camp the witness saw Gbao and Morris Kallon get into an argument with UN Milobs. Kallon try to stab one Milob and punched another. Kallon ordered three men armed with AK-47s to arrest a UN Milob. The witness was forcibly dragged to the car during which time Kallon held a dagger in his hand. The witness observed other abducted peacekeepers harassed by Kallon. One was limping and one was bleeding from his mouth. In total, 20 UN peacekeepers and military observers were detained. During this time, the abductees were mistreated and tied together. One Milob was targeted for harassment and threats were made by rebels to kill him. During their captivity the abductees were given little food. Kallon ordered the detention of all UN vehicles. The abducted peacekeepers were taken to Issa Sesay who, on the arrival of the hostages, ordered they be untied. Sesay stated that the UN and white people were to blame for bringing problems to Africa, and that if the UN wanted to fight, his men were ready. Fifty-two detained Zambian peacekeepers arrived at the location where the other abductees were being held. The Zambians had been detained for 18 days and were visibly frightened.</p>
PN TF1-166	14, 16, 17	<p>This witness will testify that he was a member of the Emergency Response Team (ERT) who was involved in the management of the Demilitarization, Demobilisation and Reintegration (DDR) operations. The witness says that during late February/early March to May 2000, RUF obstructed DDR operations and threatened to "arrest" ERT members on multiple occasions. The witness was prevented from leaving Makeni. He saw trucks full of RUF driving through Makeni and shouting that they were going to attack. The peacekeepers at the Makeni DDR camp were surrounded by RUF combatants and had been attacked by Augustine Gbao. Peacekeepers in Magburaka had also been attacked. The ERT moved to a peacekeeping base in Makeni, where they remained with the peacekeepers due to the extreme threat of imminent attack by the RUF. At the base, at least two to four wounded peacekeepers who had escaped the RUF attack on the Makeni DDR Camp arrived. The ERT negotiated</p>

		<p>their release with Issa Sesay and Morris Kallon. RUF bodyguards present were wearing United Nations peacekeeping uniforms. Sesay agreed to their release after discussing the matter privately with Kallon. The group left Makeni during which they were harassed, had money, personal items and United Nations equipment stolen by the RUF on the threat of death. They were then used as human shields as they drove to the front line. The RUF were wearing other peacekeeping uniforms and in possession of additional seized United Nations equipment.</p>
PN TF1-165	14, 16, 17	<p>The witness will testify about the attacks upon UN peacekeepers and DDR Camps in the Makeni/Magburaka area during May 2000. He will say that at the Makeni Demilitarization, Demobilisation and Reintegration (DDR) Camp in April, Morris Kallon threatened peacekeepers and told them that they had 72 hours to dismantle the camp. Shooting occurred at the Makeni DDR camp. The witness spoke with the RUF High Command, which included Gbao and Kallon. At the time Issa Sesay was the head of the RUF. UN personnel were later abducted by Morris Kallon who drove them to RUF base at Tekko Barracks, Makeni. There, the car of Issa Sesay was present. At Tekko Barracks, Small Boys Units threatened to kill the hostages. The hostages were held with 15 other peacekeepers. Later, the hostages were forced to strip and bound with an electrical cable. They were then loaded into one vehicle and drove towards Kono. They stopped somewhere along the road and were told to dismount. Issa Sesay ordered them to line up and fired shots into the air. He said "You have killed many of my men. I could have killed all of you and nobody would question me." The hostages were then loaded into the vehicle and taken to Kono, where the witness was kept until 28 May 2000. During this time, the captors said that they were going to torture the hostages and deal with the Kenyans, but were dissuaded.</p>
PN TF1-288	14, 16, 17	<p>This witness will testify that in April 2000, he was deployed to Sierra Leone as commanding officer for contingent Zambatt I. Zambatt I was sent to Makeni to</p>

		help restore order due to problems with RUF. The witness was abducted by the RUF and driven to Makeni blindfolded. His contingent was taken separately. Most of his contingent had been stripped of their combat. The witness met Issa Sesay. Issa Sesay ordered that the hostages be moved to another place. Sesay later ordered the gradual release of the hostages.
PN TF1-164	14, 16, 17	This witness will testify that he was a Gambian Milob who was taken hostage by the RUF in May 2000 in Makeni. Several days before the witness saw Morris Kallon come to the Makeni DDR camp and threaten peacekeepers following the disarmament of 15 RUF soliders. On May 1 2000 the witness went to speak to RUF officers and was detained. There were 17 hostages, three Milobs and 14 Kenyan peacekeepers. The Small Boys threatened to kill the hostages. The witness was forced to strip and his elbows were tied together with a cable. He was then tied to a Kenyan peacekeeper. The hostages were moved from Makeni to Kono. At one point they were told to get out. Issa Sesay fired a shot in the air from his pistol and told them that he could kill them all and no one would question him. The witness was transferred to a RUF truck which crashed en route. The witness's leg was broken. At Kono the witness heard the RUF say in Krio that they were going to torture the hostages and deal with the Kenyans. The witness spoke in Krio asking them not to. The injury to the witness's leg was serious. He was eventually taken to a hospital and left Kono on 28 May.
PN TFI – 043	14, 16, 17	This witness will testify that during late February/early March to May 2000, the RUF obstructed DDR operations and threatened to "arrest" humanitarian assistance personnel. The witness will provide evidence on how humanitarian personnel were denied movement at a Makeni road block by Augustine Gbao, and how Gbao had earlier demanded the return of 10 RUF combatants from the Makeni DDR camp. The witness will testify that that trucks of RUF drove through Makeni shouting they were going to attack, that peacekeepers at the camp had been surrounded by RUF and that they later attacked. The witness will testify that humanitarian personnel were forced to stay with peacekeepers at

		<p>Makeni under imminent threat of attack from the RUF, during which time the witness saw two wounded peacekeepers who had escaped the attack on peacekeepers at Magburaka. The witness will testify to the negotiation of the release of humanitarian personnel from RUF with Issa Sesay and Morris Kallon, and that Kallon later took \$5,000. The witness will testify to harassment, theft of personal and official property on threat of death and use of human shield of humanitarian personnel by the RUF. The witness will also testify to seeing RUF wearing UN peacekeeping uniforms and in possession of UN equipment.</p>
--	--	---

KOINADUGU CRIME BASE

PN TF1-147	1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13	<p>This witness will testify that after ECOMOG entered Kabala the AFRC/RUF left, but had looted many homes, market stores and NGO premises (household properties, food stuffs and vehicles). Kabala Town was constantly attacked and on 27 July 1998 the AFRC/RUF entered the town, abducted men, women and children, and burnt homes. They forced captives to carry looted properties. Many people were abducted and some captives were trained at Krubola. The witness heard that amputations were done at Bafodia. The witness also heard of rapes through hospital staff in Kabala. During the 17 September 1998 attack on Kabala, the witness saw many dead bodies and over 200 burnt houses. The witness was told that houses were deliberately set on fire after they had been doused with petrol. In an attack on Malaforia houses with people inside were burnt. During these attacks, many boys and girls from 5 years old were abducted.</p>
PN TF1-177	1, 2, 3, 4, 5, 9	<p>This witness will testify that she was in Kabala on 25 July 1998. She heard about the attack in Kabala and decided to go to Makeni with others. While on their way, they got caught in an ambush. 100 people were on the bus. Many were killed. The attackers were shouting for Superman leading the RUF. The</p>

		witness was shot in the stomach. Her brother was also shot together and another person she knows was shot in the leg.
PN TF1-134	1, 2, 3, 4, 5, 8, 9, 12	This witness will testify to an attack on Katombo II on 27 July 1998. Two hundred rebels came from Makakura direction (2 miles from Kabala). The witness was captured, beaten and mistreated. He recognized officers such as Savage, SAJ Musa and one Major Foday. Two policemen were murdered and their bodies split by an axe and a sword, their guts taken out and intestines pulled across the road as a checkpoint. The witness denied being a police officer and his 2 children were killed by having their throats cut. The witness saw other people killed in cold blood. The witness also saw many captives with loads and he did not know what was inside. The witness escaped and on returning to Kabala saw 4 houses burnt. In August, the witness saw the graves of 2 children in Katombo II buried in a mass grave with others killed in Katombo.
PN TF1-135	1, 2, 6, 7, 8, 9, 11, 12, 13	This witness will testify that during the 2000 dry season he encountered Savage and his troops near Kasimbeck village. There followed a period where rebels raided food and forced civilians to carry it for them. Civilians were forced to pound rice, and cattle were killed and looted. Women were stripped naked and beaten and the witness heard of rapes. Child soldiers between age 10 and 14 were used by the rebels at Kataoya.
PN TF1-212	1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13	This witness will testify as to seeing multiple killings and raping in Koinadugu by rebels commanded by "Superman". She saw houses burnt in villages and towns and people thrown into them alive. Sometime in October 1998 Superman ordered his men to kill in accordance with Operation No Living Thing. Koinadugu was burnt down by rebels apart from the mosque. Houses were looted. The witness saw a woman being kicked in the stomach following which she died. The witness's son was killed after the launch of Operation No Living Thing. She witnessed a baby being dumped over a bridge. She saw people burnt to death in houses. She also saw 48 people captured and put in burning house and 130

		boys and girls aged 12-15 years taken away. Some captives had to carry loads. The witness saw 3 women raped in Kambasafe. The witness saw 5 villages burnt down by rebels. There were child soldiers among the rebels.
PN TF1-172	1, 2, 3, 4, 5, 6, 8, 9	This witness will testify that on May 18 1998 he was captured by rebels together with three other men. The attackers identified themselves as Foday Sankoh rebels. They took the witness's shirt and money. The rebels beat the men and took the four captured men into Seraduya. The rebels thought witness was a Kamajor and they tried to stab him with a bayonet. They amputated his right hand and either the right or left hands of others. When they reached Seraduya, the witness saw one dead body. After the witness' hand was amputated, rebels originally wanted to give him a letter to take to Kabbah and ECOMOG in Alikalia but changed their minds. After the amputations the rebels let the four men go, telling them to go Alikalia to inform ECOMOG that the rebels are coming. The witness and others were taken away to Freetown by helicopter. There were war-wounded on the helicopter. Five of the fifteen were amputees. One was a double amputee from Bumbuna. The witness learned that rebels attacked Seraduya when he was in Freetown. The rebels locked the Town Chief and his family members in his farm house and burnt them to death. The witness was told that many civilians were killed during this attack. The witness's wife told him that she was abducted by rebels during this attack and spent one day and one night with them. The witness said his wife was captured and raped by two rebels. The witness said that when his hand was amputated, the rebels burnt most of the remaining houses.
PN TF1-329	1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 13	This witness will testify that in late February 1998, the rebels arrived in Fadugu after they were kicked out of Freetown. They stayed for about 10 days. They wore mixed clothing. Most villagers hid in bush. Different groups of rebels passed through Fadugu. Some identified themselves as RUF. Others were AFRC. AFRC rebels stayed in Fadugu. At this time they did not harm civilians but looted. In May 1998 civilians fleeing from a rebel attack on Kafoko village

1407

		<p>arrived in Fadugu. The witness saw the rebels arrive. As the witness attempted to flee the rebels shot her and she crawled into a house. In this house, her son and two other boys were hiding. Then two rebels entered. They looted. As rebels left they set fire to house. The witness and boys escaped and hid. The witness states that in this attack rebels killed 6 civilians (men and women). About 150 houses were burnt by rebels. The rebels amputated four fingers of a woman and abducted 2-3 girls who stayed with rebels for 2-3 years. They also forced many women to marry them and forced civilians to work for them. The witness had her lower leg surgically amputated from her wound.</p>
PN TF1-136	1, 2, 3, 4, 5, 12, 13, 14, 17.	<p>This witness will testify that in June 2000 he was at Kamadugu Sokurala village 12 miles from Kabala. Many armed RUF men entered village with civilians (about 40 men with loads on their heads). The witness was captured with 6 other men and 3 women. The women were later released. The witness and other men were taken away. One civilian was killed when group entered village as they were firing. The witness heard a communication with the RUF in Makeni. He was sitting near commanders and heard Bai Bureh say on the set that they had captured Komadugu Sokurala, had no problems, did not meet enemy, no RUF killed, and that they were heading for Koinadugu to Bendugu and finally Kabala. The witness heard another person praising Bai Bureh and his men, saying he knows they are hard men and he had no doubt in whatever they do. The other side also said that right now they have captured a number of UNAMSIL personnel at Makeni and have them in their custody and that once they have captured UNAMSIL personnel, "nobody can try them again because UNAMSIL represents the whole world". Bureh was speaking to Gibril Massaquoi. Properties in the village were looted by rebels. The witness's brother and a small child were killed in front of him by RUF. During the last attack on Kabala by RUF, the town was looted and houses burnt.</p>
PN TF1-205	1, 2, 6, 8, 9	<p>This witness will testify that she was walking from Serekolia to Benikoro when she met the rebels along the road. Witness said she was amputated on a</p>

		<p>Friday. A rebel forced the witness to put her hand in a hole in a tree and then proceeded to chop her right hand and her left hand with a cutlass. The rebel did not succeed in cutting off her left hand. The rebel gave the witness a letter and said to her "Go to Kabbah and let him fix your hand". The rebels told the witness that they were rebels. After being amputated, the witness was raped by the same rebel who amputated her. Before raping her, the rebel beat her with his gun butt on her back and head. He hit her as she refused at first to have sex with him. He was wearing mixed combat. The witness was captured together with B.F. who was from Benikoro. The witness saw B.F. was also bleeding from both hands. The witness said both of B.F.'s hands were injured but not amputated. She also saw M.F. and M.F.'s younger brother, Y. F. who had also been captured by the rebels. The witness saw that rebels had tried to amputate both of M.F.'s hands.</p>
PN TF1-213	1, 3, 4, 5, 6, 7, 8, 9, 11, 12	<p>This witness will testify that in 1998 she was 13 years old when rebels attacked Kabala. She was captured by rebel who took her to Langehkoror. The rebel told her she would be his woman. She was raped before getting to Langehkoror. When she arrived rebels argued who would have her. Two groups of rebels were present: one was Musa's group, one was Superman's group. One "Yellowman", part of Superman's group, told the witness that since no one could decide he advised that she should be killed or amputated. At this point the witness's hands tied and then struck with machete. The witness had a letter stuck to the "tail" of her cloth and was told to go deliver it to Kabbah. She walked three miles and then collapsed by a stream before being rescued by ECOMOG. She saw a man named Sheriff struck and killed with machete by "Yellowman." The witness saw one man have his penis cut off by rebel. The witness saw lots of child combatants with the rebels.</p>
PN TF1-311	1, 2, 3, 4, 5	<p>This witness will testify that on 27 April 1998 rebels had attacked Yifin and burnt houses. The witness saw smoke coming from Yifin. He went in search of family members. He was forced into a house by armed men wearing ECOMOG</p>

1409

		<p>clothing. The witness saw men firing into the house. He recognized Superman who gave command and shot into the house, and Mamburu who also shot into the house. He had known Mamburu and Superman as rebels. Mamburu wore ECOMOG clothes during attack. Others had mixed clothes. Some people escaped through the window out into the bush. Whilst in the house the witness saw Superman enter with one other and shoot people. The witness heard Superman giving instructions for the house to be burnt because of the support Sierra Leoneans were giving ECOMOG. Only the witness and one other survived. The witness then found out that his father was burnt in his house. On 29 April 1998 the witness buried his remains at the back of the burnt house. About forty (41) people were killed at the house, including men, women and children. A lot of other people were killed in the town. The witness states that the people who held them and put them into the house were rebels.</p>
PN TF1-310	1, 2, 3, 4, 5	<p>This witness will testify that in 1997 or 1998 Yifin was attacked. Men in uniforms directed the witness and others, about a hundred in total, to a house. Men started firing at them through the windows and the door. The witness was shot on the breast. Almost everybody else died. The house was burnt while the witness was inside. The attackers thought their victims were the family of the Paramount Chief, who had called ECOMOG. The witness managed to get out of house and into the bush.</p>
PN TF1-312	1, 2, 3, 4, 5, 6, 8, 13	<p>This witness will testify that he was in Yifin when the RUF attacked on 27 April 1998. The witness's father, an ex SLA, was threatened with death for supporting Tejan Kabbah, but eventually released. The witness's house was looted and burnt down. The RUF killed people, about a hundred. He was told that rebels burned a house with people in it in Yifin. The witness escaped in bush and stayed there for 1 ½ year. During that time, rebels attacked other villages and looted. The witness was captured and flogged on suspicion of being Kamajor. The witness saw the rape of woman in bush by 2 rebels.</p>

PN TF1-214	1, 2, 3, 4, 5, 9, 12	<p>This witness will testify that Koneibaia was attacked twice. The first attack occurred after the rebels had been kicked out of Freetown by ECOMOG. One man had both hands amputated and 10 houses were burned by rebels. Some civilians were forced to push rebels' cars toward Kono. During the second attack, ECOMOG troops guarding village fled as over 300 rebels attacked. The rebels captured many villagers, including the witness, and brought them to the cotton tree in the centre of Koneibaia. The commander said "You want a civilian government, you want Tejan Kabbah. This is Operation No Living Thing." The commander then ordered a rebel to bring cutlass and amputate. The rebel amputated the witness's 6 years old daughter and then amputated the witness's hand. The rebel proceeded to amputate the hands of three other women and three men. One woman, 8 months pregnant, later died. Some men also died. The rebels also killed several villagers and burned remaining houses. The rebels abducted two women and stated that they were going to attack Fadugu. The witness heard about amputations and burning of house by rebels in Kono area.</p>
PN TF1-215	1, 2, 3, 4, 5, 9, 12, 13	<p>This witness will testify that he was in Koneibaia (Koinadugu) when "rebels" came in March 1998 after being kicked out of Freetown. They stayed for 3 weeks during which they stole properties during "Operation Pay Yourself." They wore a mix of civilian and military clothes. The witness is not sure if they were AFRC or RUF. They forced the civilian population, including the witness, to carry food and other items for them. On leaving in April 1998 they abducted several male and female civilians. The witness heard about killings, amputations and burning of houses in Yifin. When the witness returned to Koneibaia, he heard about amputations. The rebels captured three male civilians and forced them to carry loads and shot another civilian dead who refused to join them when they were all drinking palm wine. The witness says then that rebels took three men and wrote "RUF" with razor blade on their foreheads. One day the witness heard firing from Lekekoro. Three civilians were cut up in attempted amputations. The witness was then told that rebels had attacked Koneibaia. The witness returned to</p>

		<p>Koneibaia that evening and saw amputations. The rebels also abducted several men and women. On 19 May the rebels returned. The witness saw these rebels shoot 8 civilians. The rebels also burned many houses at this point. There were about 200 rebels. The commander ordered amputations of civilians. There were two rebel groups: the first was SAJ Musa's who traveled through Bafodia to Kamakwei and the other was Superman's group who traveled from Ferewa to Koneibaia to Faduga. The civilians begged but Commander said to stop begging and also said "There is no God here today." The rebels then started amputations taking "smallest hands first." They told witness that he would never be able to vote for a civilian government and to go to Kabbah. The witness had his right hand amputated. Amputations took place near the cotton tree.</p>
PN TF1-094	1, 2, 4, 5, 6, 7, 8, 9, 10, 12	<p>This witness will testify that she was captured by SAJ Musa (SLA/RUF) in 1998 near the bush at Kabala. She spent a year with the rebels. The witness's parents were killed. She was forced to pound rice for rebels. The witness was taken as a wife by a Lieutenant and became pregnant but lost the baby. The captured girls were forced to undress to avoid being seen by enemy. Then 2 or 3 men would rape girls. The witness walked from Kabala to Freetown with rebels. She was present during invasion. Many women and children were captured. The rebels burnt cars and houses. The witness moved around with rebels and witnessed killings, amputations, burnings and cannibalism. Captured women were gang raped. One woman was raped until she died. The witness heard that pregnant women had their stomachs slit open. The witness remembers being beaten by 55.</p>
PN TF1-146	1, 6, 7, 8, 10, 11, 12	<p>This witness will testify that she heard fighting in Kabala during the 27 July 1998 attack on Kabala. The witness was captured on 1 August 1998 in Katombo (Koinadugu) by an armed RUF rebel called Mohammed. Mohammed wanted to marry her. Mohammed's commander raped her twice in Kabala. He was rough and the witness was a virgin. She bled for 1 day. He threatened to kill her if she refused sex. The witness will testify that 50 other girls of same age or slightly</p>

		<p>older were abducted from Kabala and forced to marry rebels. After 2 days in Kabala, the witness was taken to Koinadugu, Makeni, Kamakwie before escaping in early 1999. The witness and 7 other girls worked for Superman's wife in Koinadugu, preparing food. Among the commanders in Kabala were SAJ Musa, Superman and Morris Kallon. The witness saw Brigadier 55 in Koinadugu. She heard from rebels that abducted children were given military training in Koinadugu. The rebels abducted many civilians.</p>
PN TF1-209	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	<p>This witness will testify that both the AFRC/RUF attacked Koinadugu before the January 6 1999 invasion. She was told of killings by poisoning and saw 2 dead bodies of civilians who had been poisoned. She was told about other civilians who died as well. Her cousin was deliberately shot in his thigh by the rebels. The witness heard that the rebels abducted civilians. One month later they returned and beat civilians. The witness was publicly raped, beaten and stabbed. She suffered a miscarriage. The witness saw more than 10 women and girls who were hiding on the farm raped. Civilians were abducted, beaten, and subjected to looting and forced labour. The witness saw child soldiers who had received military training involved in the killing. The witness was taken as a wife by a rebel and forced to do domestic chores. Rebels told the witness that in Mongo, they split open bellies of pregnant women, having placed bets on the sex of the foetus. The rebels also told her that they amputated and initiated women. The witness heard that Gullit had told the rebels to kill the people in Koinadugu town. Many civilians including children from the age ten up were forced to undergo military training. The rebels burnt all the houses in Koinadugu town except the mosque. Eight of her relatives were burnt in these houses as well as other civilians. The witness saw three amputations. The witness heard about killing of a woman and the baby she was carrying on her.</p>
PN TF1-133	3, 4, 5, 6, 7, 8, 9, 10, 11, 12	<p>This witness will testify that in early 1998 she was captured by rebels in Kumala. Brigadier Mani was the overall commander of those rebels. She heard that Savage had killed 2 SLA and 4 civilians near Kurubonla but did not see any</p>

		<p>bodies. Many abducted women were forced into marriage with rebels. They stayed in area around Kurubonla. The witness can testify to sexual slavery of at least 4 abductees. The witness saw many abductees in Kurubonla and was voted "mamy queen" by 131 (24 votes for other women) abducted women near Koinadugu Town. Many women came to witness complaining that they had been raped by rebels other than their husband. The witness was stabbed in the buttocks with a bayonet by a rebel to whom she had been given. The witness saw many abducted children. The witness heard that RUF (Commanders SAJ Musa and Superman) ordered some children (about 15 years old) to be trained. The witness saw many abducted children. Many young girls were used for domestic chores. Afterwards, the witness went to Makeni where she saw Gullit, 55, 05, Issa Sesay and others. She also saw 131 abducted children there.</p>
PN TF1-138	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	<p>This witness will testify to being captured in 1997 by SLA rebels along with many civilians. The witness will provide evidence as to large scale killings, abduction of civilians, forced labour, raping (including insertion of foreign objects), looting, physical violence and destruction by burning by rebels. This includes evidence of Operation Pay Yourself after February 1998. The witness also saw Commanders including Savage, Bazzy and Gullit killing civilians. The witness saw Gullit kill a young girl and boy by throwing them into a well in Kono. The witness saw 6 girls raped by rebels on veranda in Dankawalli during Operation Born Naked. Commanders witnessed the incident but did not punish the perpetrators. The witness will testify that Morris Kallon witnessed the killing of civilians by other rebels and that he was the overall commander in Pendembu. The witness saw 4 girls killed in Kono by Savage, who placed sticks up their vaginas after they were killed. The witness saw a big meeting between rebels in Kailahun. SAJ Musa, Brigadier Mani, Gullit and others participated in this meeting. The witness was herself raped many times and forced to marry a rebel. She says that only female combatants could refuse sex and that civilian women were killed if they refused. She saw other female abductees forced to marry rebels. Children were given military training. The witness will provide evidence of Charles Taylor at training</p>

		bases in Liberia, and of the presence of Augustine Gbao with the rebels.
--	--	--

KAILAHUN CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF1-111	1, 2, 6, 7, 8, 12	This witness will testify that he was abducted on 1 June 1991 by the RUF. He was initially held for 1½ years in Bunumbu in Kailahun. The witness was again captured on 30 December 1998 in Pendembu in Kailahun together with over 200 civilians, including his family. One of his wives told him she was raped during her captivity. The witness was forced to work. He was told that the rebels took captive women as wives.
PN TF1-247	1, 9, 12, 13	This witness will testify that in December 1998 the AFRC/RUF attacked Segbwema and captured civilians. Men and women were beaten by the rebels. The witness saw a group of SLA/RUF rebels carrying loads. The soldiers said they took orders from Capt. Bakar. The witness and others were tortured and beaten. The witness saw rebels looting properties in an operation they described as "Operation Pay Yourself".
PN TF1-113	1, 3, 4, 5, 12	This witness will testify that she was captured in 1991 and moved from village to village. At this time Sam Bockarie (SB) was the commander and Issa Sesay his deputy. The witness says that after the intervention in February 1998 more than 500 abductees from all over Sierra Leone were taken to Kailahun. The witness saw the killing of 10 of 67 detainees in Kailahun Town and saw Augustine Gbao and SB present at the scene. Gbao was the overall commander on the ground when these people were killed. The witness also saw civilians being forced to work.

1415

PN TF1-108	1, 2, 3, 4, 5, 7, 11, 12	This witness will testify as to the make up of the High Command within the RUF from 1994 to 1996 and afterwards. The witness says Issa Sesay (IS), Morris Kallon (MK), Augustine Bao (AG), Sam Bockarie (SB) were part of the High Command and controlled the RUF. AG used forced labour for carrying loads of ammunition from Buedu to Pendembu and Mobai. AG's men would surround a town or village and abduct boys and young men for fighting. Women were also abducted. The women's job was to go to the front and fight and cook for the soldiers and sleep with the commanders. The witness was told that two young boys were shot because were unable to carry their loads. Before the January 99 invasion at the end of dry season, AG, MK, IS and SB were involved in the killing of 60 Kamajors held for screening.
PN TF1-112	1, 2, 12, 13	This witness will testify that he fled to Daru in November 1997 when the Kamajors attacked. At the time the AFRC/RUF were in control, harassing civilians for food and threatening to kill anyone who tried to escape. The witness fled from Daru to Mobai where he was captured with over 150 men, women and children (girls and boys) by combined AFRC and RUF forces. He fled Mobai with other captives. The witness was recaptured by junta forces and taken to Pendembu. The witness met other captives in Pendembu, where he saw Issa Sesay and Gibril Massaquoi. The witness was placed in a deep hole. One captor peered in and told witness he knew he was a police officer.
PN TF1-246	1, 2, 3, 4, 5, 10	This witness will testify that he was detained in Kailahun Town after RUF rebels came to the witness's home town, stating they had been sent by their commander, Gbao, with instructions that people coming from government controlled areas should report to him in Kailahun for investigations. This was around the dry season of 1998. The witness was arrested along 75 people from areas around his home town on orders of Gbao. The witness was told that the RUF commander in Kailahun was Gbao. The witness knows that 65 men accused of being Kamajors were detained. He later heard that they had been killed.

PN TF1-114	1, 7, 11, 12, 14, 15, 16, 17	This witness will testify that he went to Kailahun after the AFRC left Freetown in 1998. The AFRC stole some money from him. After complaining, the witness was beaten and then sent to the front to fight. He was unable to do so. The witness saw many abductees brought to Beudu by various commanders. Morris Kallon brought the biggest group. Issa Sesay was also involved. Captives including children who were sent for military training. In 1999 the witness saw the execution of soldiers and a civilian medic for theft. Civilians were used as slave labour on a rice farm of Sam Bockarie and Morris Kallon. Women were used as wives and for domestic purposes by the rebels. The witness was present when 15 MILOBS were abducted and their possessions looted in May 2000. He was told that Issa Sesay gave the command for this.
PN TF1-330	1, 3, 4, 5, 12, 14, 17	This witness will testify that he saw forced labour up to the year 2000 and the conscription and military training of women and young children by rebels. He used to see children as young as 10 years old carrying guns. They were mostly with RUF commanders such as Issa Sesay. The witness saw captives in Kailahun Town. After July 1999 he heard that about 40 people people alleged to be Kamajors had been killed. The witness heard that Issa Sesay and Sam Bockarie ordered the killings and that Augustine Gbao, whom he saw in Kailahun Town after the killings, was present during the killings. The witness lost a brother in the killings. The witness heard of captured UNAMSIL personnel in Ngiema. He was told that Sesay had ordered their capture. The witness states that he also saw looting of property by the RUF.
PN TF1-313	1, 2, 3, 4, 5, 11	This witness will testify that Augustine Gbao was the Chief Security Officer for the RUF, Issa Sesay, the Battle Field commanding officer and Morris Kallon, the Battle Group commanding officer. The witness will also testify that Gbao had Kamajors detained in Kailahun Town, in Kailahun District. Three weeks later, a RUF rebel collected three of the witness's relatives, saying he had instructions to collect all Kamajors. The witness was told that Sesay, Gbao and Sam Bockarie shot the Kamajors. The witness heard all the Kamajors were executed. Gbao

		ordered the removal of their bodies. The witness observed that child soldiers were used in different areas such as houses of commanders and on the front line.
PN TF1-327	1, 2, 3, 4, 5, 13	This witness will testify that in 1998 he saw the killing of 10 people by the AFRC in Buedu. Captain Sesay, the AFRC commander in Buedu, ordered the arrest and shooting of the ten. The witness says that Morris Kallon took 40 bags of rice by force and the remainder was given to AFRC.
PN TF1-200	1, 2, 3, 4, 5, 9, 10, 11, 12, 13	This witness will testify that he was abducted in 1997 in Kailahun District. He was 13 years old at that time. The Rebels (RUF) attacked the village. Their Commander was Thomas Sandy. They burned houses and looted. The rebels also abducted 7 boys and 12 men. The next morning the RUF came again. They killed 7 people. The witness was captured and had to transport goods for them. The rebels killed the witness's uncle. In Yaama the rebels gave military training to men and women and children for 3 months. During the training people died of hunger and diseases. From the 100 children in the witness's group, 30 died. Recruits too tired to continue would be beaten or flogged. The witness was trained early 1999 and given a weapon. After RUF attacked they would call the small boys to come and get the goods from the village. They gave drugs to children and to soldiers to make them braver. The chain of command was Sam Bockarie (aka Mosquito), Superman, Nabiu Lai Karimu, Bilai Karim, Issa Sesay, Tommy Sandy. Tommy Sandy gave reports to Issa Sesay about attacks.

1418

PORT LOKO CRIME BASE

PSEUDONYM	COUNTS	SUMMARY
PN TF1-253	1, 2, 3, 4, 5, 9, 10	This witness will testify that the rebels interrogated them about the location of a Gbenti base and the location of ECOMOG. The witness was captured in the village of Makambisa along with 5 other people. He saw the rebels kill these 5 people. The witness was then taken to Marmarra. The rebels there told the witness that they were the men of Superman. The witness heard talk of Operation No Living Thing. The witness saw rebels kill one man and saw many people in a house in the village. They were begging for water. The house was locked from the outside. He saw the rebels burn house with petrol. After the attack the witness and other villagers counted 73 people dead in house. The witness saw the rebels in mixed civilian and military clothing perform two amputations and tell the victims to "go to Tejan Kabbah and tell him who did this." The witness was taken the by rebels to Port Loko but escaped on the third day in Port Loko. He saw many bodies in Port Loko.
PN TF1-250	1, 2, 3, 4, 5, 9, 10	This witness will testify that sometime before Peace Accord he was in the village of Magboru when it was attacked by rebels. He and his family were captured by the rebels along with many others and taken to village of Manarrma. The witness saw over 100 rebels present in Manarrma. In Manarrma, the witness was ordered to sit on ground with 4 other family members. The witness saw the rebels put five family members in a house that was later set ablaze. There were many other people in the house. The witness personally heard the CO give order to burn the house. The witness also heard people screaming from the house. The rebels then took the witness and two others, Mohamed Tarawa, Brima Koroma, and performed double amputations. The witness was told to go to Kabbah and tell him what had happened and then told to go to the people of Port Loko to tell them the rebels are coming.
PN TF1-254	1, 2, 3, 4, 5, 9, 10	This witness will testify that Manarrma was attacked in the dry season after the

		<p>Freetown invasion. He saw 3 of his wives and 4 of his children ordered to sit on the ground. He saw a son and a daughter killed, one by an axe and the other by a cutlass by rebels in underpants. The witness later saw the rebels lead his three wives and two children into a house that they later set on fire. It was late in the afternoon when they burnt the house. They burnt a total of 25 houses. After the rebels left the witness and other villagers counted 73 skulls of people who were burned in this house. In total the witness lost 16 of his relatives in this attack. The witness also says that another 6 of his children were killed in Makamisa.</p>
PM TF1-320	1, 2, 3, 4, 5, 9, 10	<p>This witness will testify that after the Lome Peace Accord he and his family and other people from Rotombo (nearby Manarrma) were captured and taken to Manarrma. There he saw a lot of dead bodies and a man giving commands for the killing, burning and the amputation of civilians. The witness also saw armed men dressed only in under pants with red pieces tied round their head. Women who had been captured were taken into a house at the centre of the town. 70 women were detained in the house. Rebels later opened fire on house. The witness heard the women crying. Rebels with cutlasses and axes then entered the house and the butchered those who were still wailing. The house was then burnt.</p>
PN TF1-257	1, 2, 3, 4, 5, 6, 7, 8, 12	<p>This witness will testify that she was captured in the bush by rebels and taken to "a garden." The rebels were dressed in civilian clothes and many had red cloth wrapped around their head and legs. They were armed with cutlasses and axes. Some had guns. The witness says that she observed that a good number of the rebels were young boys. In the garden, a list of the captured villagers from Tendakum was prepared. The witness is unsure how many people were put onto the list. When the rebels arrived in Tendakum, they burned down the village on the day they entered and also raped many women. The witness says that she was not raped. After the list of villagers was completed, one of the rebels said to the other rebels to take whomever they wanted, women for wives</p>

		<p>and men and children for labour. The witness said that she was taken by a rebel woman named Hawa Conteh. The witness attempted to look for her family in their hut and was told by one of the small boys that the people in the hut were killed by the rebels. A few days later the witness was told by another rebel who was in Tendakum that her father was killed. The witness later learned that 47 people from Tendakum were killed in these incidents and most were relatives of the witness. The witness was taken to Lunsar where Superman was in charge.</p>
PN TF1-256	1, 2, 3, 4, 5, 6, 7, 8, 12	<p>This witness will testify that in April 1999 he was captured with many other civilians. The witness was taken to the garden of another villager, Mohamed Sankoh. The rebel group that captured the witness registered him and 66 other civilians into a notebook. On the third day of capture, the witness states that he saw a group of about 50 rebels leading away some of the captives who were from Tendakum, including the witness's son and brothers. The witness did not see what happened to these civilians but was told shortly thereafter by the rebels that those civilians had been killed. Later that day the witness saw 7 dead bodies of those among this group that were hacked to death with machetes. The witness also saw that the rebels who had led the civilians away had blood on their machetes when they returned. The witness believes that 47 people were led away and killed based on the number of people missing from the village. The witness saw that when the rebels initially arrived they took about 15 women to their "booths" (make shift housing for rebels) in the garden where they were raped nightly. The witness also saw that the rebels burned the entirety of Tendakum and Nonkoba. The witness arrived after the actual burning but saw the smoke. On the 5th day of capture the witness was taken to Nonkoba along with 4 others where he was interrogated before being placed in a rice box. The following morning the witness was released from the rice box and sent to different commanders to work for them. He was forced to work mostly on domestic chores and says that he worked out of fear. While at Nonkoba Superman, who was in charge of Lunsar, sent a letter to the commander which was read out in the presence of the witness. The letter detailed that certain</p>

1421

		villagers, including the witness, were not to be killed. Superman issued orders more than once that killing should stop.
PN TF1-261	1, 2, 3, 4, 5, 9, 10, 12	<p>This witness will testify that he was captured by rebels who brought them into "the garden" where they were registered in a book. There were children among the rebels. On the 4th day of captivity the witness saw 8 dead bodies, including those of his children and mother. The bodies had been hacked with machetes. A rebel named Malaria told the witness "See what we did here, this is an example." Malaria also said that he was an SLA. Later, in Lunsar, the witness learned that Malaria's boss was Major Cole. The witness and others were taken to Captain Richie who instructed the rebels to "knock them down". A rebel named Tyler then told the rebels to leave the witness and 3 others alive since they had already killed a good number of people. The witness was returned to the village of Tendakum and instructed by Malaria to build a "booth" – a small thatched hut with no walls. While building it Malaria told the witness and others that he wanted to take them to Kailahun to do mining. When it was discovered that his whole family had been killed the witness was put into labour for Malaria instead. While the witness was in Tendakum he heard that many of the women of Tendakum were raped by the attacking rebels. The rebels burned down all of the houses in Tendakum. The witness and three others were made to carry loads to Cucoona. Before they left, Malaria cut the marking RUF into the witness' chest. On the way, a larger group of rebels joined with them saying that they had been attacked. The group all proceeded to Lunsar. The civilians were lodged at the police barracks by Captain Richie. Superman was the commander of Lunsar and he gave an order to not kill the civilians. The witness was in Lunsar about one month before escaping.</p>
PN TF1-252	1, 2, 3, 4, 5	<p>This witness will testify that she was captured by rebels. While in Nokoba, the witness saw several child rebels beating an old man. They took him into the bush and returned with his cut up his body in a bowl. The cooked and ate the body parts. The rebels threatened the witness that she would be killed if she did</p>

		not eat some. Other civilians were also forced to eat the flesh. Around the same time the witness saw the rebels kill a woman. She also saw the same rebels take a baby, put it in the rice pounding bowl and then pound it to death. The rebels said that their boss was Foday Sankoh. While she was in Nokoba the witness says that CO Superman came there.
PN TF1-344	1, 12	This witness will testify that she was in Nonkoba when she, her mother, second mother and siblings were captured by rebels. The witness was taken away by one rebel. Upon seeing her mother again, the witness was told that she would never see her brothers and sisters again. The witness believes that the order for the people to be killed was given by Mohamed Kanu as she could tell by his behavior as he was in charge. The witness was then taken to Lunsar by Jibbo. There she heard of Superman.
PN TF1-346	9, 10	This witness will testify that she was only an infant when the rebels came to Nonkoba. They put her into a fire where they normally cook food. The fire was right on the side of the main street near her house in the village. Her legs and feet were disfigured.
PN TF1-259	1, 2, 3, 4, 5, 6, 7, 8, 12	This witness will testify that she was hiding when the rebels who attacked her village, Tendakum, found her and others hiding in bush near the village. The rebels were dressed in combat uniforms and armed with guns, knives, cutlasses and axes. She and the others were abducted and forced to pound rice for the rebels. She was captured by a rebel named Dipolis who raped her. The witness says that the rebels killed 40 people when they attacked. The witness did not personally see the killings, but could hear the people crying as they were being killed and heard the sound of cutlasses striking the people and then later saw the dead bodies. The witness was eventually taken to Lunsar and then to Makeni. In Makeni she heard that Superman was in charge but did not see him.

PN TF1-345	1, 2, 3, 4, 5, 12	This witness will testify that sometime in April or May many rebels armed with weapons passed through Nonkoba. It was after the January 6 invasion of Freetown. She hid into the bush near Tendakum. The next morning, rebels captured her along with many other civilians. The rebels forced them to pound rice and to build huts. The witness was whipped by a rebel. A few days later the witness escaped into the bush. From there, she heard rounds of hitting and women and children crying. During the night the wife of a rebel told the witness that her four children had been killed by rebels. Thereafter, the witness went to Lunsar and stayed there for two weeks. Superman was the commander in Lunsar.
PN TF1-255	1, 2, 3, 4, 5	This witness will testify that Tendakum attacked by rebels who came from the direction of Masiaka. The majority of the rebels were dressed in combat uniforms while some in civilian clothes. The rebels were under the command of Capt. Richie who identified himself as an SLA. The witness and other villagers were captured and taken to a garden area where kept for 2 days. On the third day, the witness saw many bodies of villagers he recognized, but did not see them killed. Many of the remaining civilians, including the witness, were taken to Lunsar. The witness says that Superman was in charge in Lunsar. The witness saw Issa Sesay come from Makeni and play football with 55, Superman and other commanders in Lunsar before match ended abruptly.
PN TF1-282	1, 2, 6, 7, 8, 12	This witness will testify that when the rebels attacked her village she was hid in the bush about 400 metres from Mabale village. She saw the rebels loot rice, palm oil and beans from the village. The witness saw that the rebels abducted four women and one man. She was later told that the women spent 5 days with rebels during which time they were raped. The rebels attacked again and the witness was captured. Other women complained to her that they had been raped. The witness was herself raped over two weeks by 55, who threatened her with a pistol. The witness heard him order looting. Witness was raped again by other rebels. The witness was "married" to a rebel. She fetched water for him,

1424

		<p>did his laundry and also cooked for him. She believed she would have been killed if she had attempted to escape. Eventually the witness ran away, but was shot in leg. The witness was taken to Connaught Hospital where she saw many injured people. The witness's brother was abducted after she had been abducted and was given military training. He was released to ECOMOG in 1999.</p>
--	--	---

CHILD WITNESSES

PSEUDONYM	COUNTS	SUMMARY
PN TFI - 115	8, 12, 13	<p>Kailahun Crime Base</p> <p>This witness will testify that he was captured as a young boy by Liberians, after which he carried looted properties. The witness saw SBU's in Kailahun. The witness will testify to events that occurred prior to 1997. The witness will testify that children were used for labour by the rebels. The witness has evidence on the use of children by A. Gbao and M. Kallon.</p>
PN TFI - 271	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15	<p>Bombali Crime Base</p> <p>This witness will testify that he was abducted when very young, took drugs, raped, amputated, killed civilians, including opening the stomach of a pregnant woman. The witness will give evidence on the transfer of diamonds to Liberia for Charles Taylor. The witness was present during the UNAMSIL attacks in Makeni and will testify as to prior planning of these attacks by Gbao.</p>
PN TFI- 143	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13	<p>Koinadugu, Bombali, Freetown Crime Bases</p> <p>This witness was captured by mixed RUF/AFRC in September 1998 with 50 people, where there were more children his age (10 years old) than adults. The witness will testify to how young men were marked AFRC on their chests and foreheads by Cabila with a razor blade. The witness has evidence on how abductees were ordered to work by force; and how abductees, including boys and girls, were armed and sent to kill people. They would be shot if refused. The</p>

PSEUDONYM	COUNTS	SUMMARY
		witness has evidence on how over thirty people were killed in a village on the advance to Freetown, prior to the invasion. The witness will testify to orders to kill all people on the way and to burn houses in any villages they captured. The witness and other boys as young as 10 were ordered to commit rapes. The witness has evidence on how group was split into two camps. The witness's group was led by 05, followed by Cabila, Lt. Mohamed (AFRC), then Adama Cuthand. The witness will give evidence on how the group spent 2 weeks at Koinadugu then headed for Freetown; how they burnt all houses in Moria and all deserted villages they passed by; how they captured people on their way and forced them to carry loads; how the group cut hands of some people. The witness and others had to carry loads and looted items. The witness will describe how one night, a young woman was sacrificed at a burial. 05, 55, Gullit, Jr Lion and others were present at the sacrifice. In Freetown, the witness saw people being killed, houses burnt and people having their hands cut. Adama Cuthand gave orders to some young man to do so because the people had voted for Kabbah. The witness eventually escaped.
PN TFI – 180	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13	Bombali Crime Base This witness will testify that he was abducted by the RUF with other children in Bombali District, prior to the AFRC coup. He was first kept in a cell with other boys, then he received military training. The small boys would attack villages in search of food. The RUF over ran Kabala. He went to Kabala. When John Paul Koroma (JPK) was in power, they fought together with AFRC. The witness attacked villages like Batodia, Kalakana, Gbakona, Madina Madingo, Maseboy, Kapunton. While in Makeni, witness saw Issa Sesay, Superman, Brigadier 55 and others. The witness will give evidence that the big commanders knew about the use of children because it was reported to them from field commanders that they caught a certain amount of small children. When they went on food finding Mission in Kabala, they amputated the hands of people or killed those who did not want to give them food. When they went on attacks, they abducted young

PSEUDONYM	COUNTS	SUMMARY
		girls. Some of them were raped there. At times they would bring the girls to the base. When the Commanders would like them, they would keep them and take them as their wife. The witness heard of gang-raping but he never witnessed it.
PN TFI – 317	3, 4, 5, 11, 12, 13	<p>Bombali Crime Base</p> <p>This witness was abducted by Gibril Massaquoi in 1994 and taken to Bunumbu in the Kailahun District Camp Lion for training as a fighter with 10 others his age (young boy). The witness went to Makeni during the junta, where the RUF commanders were Komba Gbundema, Gibril Massaquoi and General Issa Sesay, who was the overall commander. The witness describes the command responsibility of Gibril Massaquoi, including leading attacks (attack on Kamasundo where many civilians killed), declaring “Operation Sweep” and “Spare no zone”, told to spare no life. The witness will testify that nearly all the commanders had child soldiers called Small Boys Unit (SBU), including Gibril Massaquoi, Superman, Komba Gbundema, Bupleh (sic), General Issa, who were used as bodyguards for the commanders. The witness will give evidence on how the commanders also armed the SBU's and sent them to fight against enemies and on food finding missions.</p>
PN TFI – 323	6, 8, 9, 10, 11	<p>Bombali, Koinadugu and Freetown Crime Bases</p> <p>This witness will testify that in 1994 he was abducted at age 10 in Bo by the RUF. He was trained at Koribundo with others (where boys beaten if refused to take drugs), received drugs; and was captured again in 1996 and sent to fight in the Northern Jungle. The witness states that every commander had 5 SBU's and that there were rapes by SBU's. The witness later commanded a group of his own SBU's. The witness has evidence of knowledge by JP Koroma during junta time of the use of children. The witness fought in the Northern Jungle for three months, and later in Kambia in 1998. He was then taken on the advance to Freetown and participated in the invasion. The witness states that the abductions of civilians during the advance was planned at a prior meeting. The</p>

PSEUDONYM	COUNTS	SUMMARY
		witness gives evidence on rampant sexual violence, including where rebels would force boys to rape so that they could "watch movie", and on the forced marriage of abducted girls. The witness will give evidence that helicopters with the colours of the Liberian flag brought the rebels arms & ammunition. The witness was told that diamonds and money given to Mosquito would be used to buy ammunition from Charles Taylor.
PN TFI – 211	1, 4, 5, 11, 12	<p>Kenema Crime Base</p> <p>This witness will testify to being captured in Makeni and taken to Kono and later Tongo with five other boys and carrying loads along the way. The witness will testify to being forced to mine diamonds in Tongo at Cyborg pit, where he received food morning and afternoon but no pay. The witness will give evidence on forced mining by rebels of civilian population, including killings of civilians who did not obey rebel instruction, all within the knowledge and presence of senior rebel commanders. The witness will give evidence of small boys guarding the Cyborg Pit who also killed civilians mining in the pit.</p>
PN TFI – 309	1, 4,5, 9	<p>Bombali Crime Base</p> <p>This witness will testify to the killing of a companion at Batkanu village and in another incident, the wounding of another civilian. Later on the 10 May 1998, on way to Makeni, the witness and his family were stopped by rebels. The witness saw rebels strike his father on his right arm with a machete. The witness will give evidence on how the rebels then amputated his uncle, brother in law, and lastly the witness, who lost his right hand. The witness will testify that the rebels gave them a verbal message to tell the ECOMOG forces that they are coming and to meet President Kabba to give them hands as it was him they had voted for in the 1996 elections. One of the rebels stabbed his unconscious father to death. The witness will testify that his grandmother who could not walk stayed behind with the rebels. The witness was later informed that she was also killed by the rebels. His Uncle could not stand the pain and died shortly after reaching</p>

PSEUDONYM	COUNTS	SUMMARY
		Mabenji village. The witness eventually reached Makeni town and was admitted to the government hospital.
PN TFI – 110	6, 7, 8, 11, 12	<p>Kailahun Crime Base</p> <p>This witness will testify to abductions and training of abductees (including children who remained with the RUF after the junta) at a camp where Issa Sesay was the training commander, in 1992. The witness headed a group of children and stayed in Kailahun heading training of children. The witness will testify to abductions of children from Kono, and of Mosquito going to Liberia to fight with forced recruits from Sierra Leone. The witness participated in attacks on Kono and Makeni prior to the Freetown invasion. The witness was part of the “reinforcement force” based at Makeni for troops invading Freetown. The Kono and Makeni attacks were under the command of Col Issa. Superman was his deputy. The witness will testify to a meeting headed by Bockarie that made Sesay the “responsible commander all the way to Freetown”, and that 400- 500 troops gathered of both RUF and junta. Bockarie said that they should “all fight as one”. The witness has evidence on Sesay ordering abductions of civilians for manpower, including 5 trucks of captives. The witness will testify that many girls and women were forced to be rebel wives, and to rapes by RUF commanders. The witness identifies many mid-level RUF commanders operating in the Kailahun-Kono areas.</p>
PN TFI-057	1, 4, 5, 11, 12	<p>Bombali Crime Base</p> <p>This witness will testify to abductions near Karina, where there were lots of soldiers dressed in full combat uniform. The witness was with soldiers for 4 years. He saw a man killed at Saramudia. The witness was taken to Kurobola along with soldiers. The witness saw the training of many small boys. The RUF/AFRC were present at Kurobola. The witness used for domestic work by a rebel and also went to the front line with him and carried his gun. The witness participated in various attacks, such as Port Loko. The witness will give</p>

PSEUDONYM	COUNTS	SUMMARY
		evidence that the AFRC/RUF were led by Superman and SAJ Musa. The witness fought with the group led by Bazzy, 55 and Gullit on the advance to Freetown.
PN TFI- 142	1, 2, 3 ,4, 5, 11, 12, 13	<p>Koinadugu Crime Base</p> <p>This witness will testify to an attack on Helma Kono village in 1998 during the dry season by Savage and a group of rebels. The attack included firing all over the place, the burning of three houses, the looting of everything in town (wearing, pots, dishes, bush rice, goats, fowl), and the capture of three children by rebels. The witness will give evidence on how after this attack on Helma Kono, the rebels based themselves in one section of the town, "Kasumpe", that there were child soldiers in the group, between ages 5 and 10 yrs with heavy guns that were being dragged in the ground; and that there were abducted women in the group, including young girls. The witness heard that members of his family were killed by rebels in Kamathente. The witness travelled to this village and buried their bodies.</p>
PN TFI – 223	11, 12	<p>Bombali and Freetown Crime Bases</p> <p>This witness will testify to being abducted in Makeni after the 1997 Coup, and being forced to carry a bag of rice for rebels after they threatened to kill him if he returned to his family. The witness was with rebels for 17 days, during which time he and three other boys washed dishes, cleaned rice and did laundry, as the group went to Kabala. The witness escaped from Kabala back to Makeni but was captured one year later by the same rebels who again threatened him with death if he tried to escape. The witness stayed at a RUF home for one month in Makeni, and with the rebels until disarmament by UNAMSIL. Whilst captive, the witness was given military training and went on a mission attack to Lunsar led by 55 and Superman. The witness saw Gullit in Makeni.</p>

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 026	1,2,3,4,5,6,7,8,9,10,12	<p>Freetown Crime Base</p> <p>The witness was abducted from Peacock Farms on 6 Jan by the RUF. The RUF killed the witness's 16 year old girl cousin when they arrived at the house. The group CO a Col "Rocky." In Peacock Farms Col Rocky ordered 20 men, women and children shot and killed. The witness and three others escaped, but were recaptured. After their recapture Rocky ordered them marked "RUF". The witness was taken from Peacock Farms to Cabala and saw many people killed and some amputated. The witness was abducted and raped and taken to Makeni for 4 months. The witness saw Bockarie and Sesay there. The witness was taken to Kailahun where Bockarie was in charge.</p>
PN TFI-026	3, 4, 5, 11, 12, 13	<p>Bombali Crime Base</p> <p>This witness will testify to being abducted in 1993, with other boys and girls. The witness will give evidence of the use of child soldiers and the provision of military training for child soldiers, including giving drugs to children and threats made to them. The witness will give evidence on attacks in the Bombali District, including the looting of civilian properties, killings, the burning of civilian houses, and the abductions of civilians.</p>
PN TFI – 251	3, 4, 5, 6, 8, 9, 10, 11, 12, 13	<p>Bombali Crime Base</p> <p>This witness will testify to being captured and taken to Makeni under a commander who was under Morris Kallon. The witness will testify that he saw Morris Kallon giving orders to one commander who reported to him. The witness was part of food-finding missions where villagers had to give food because rebels were armed. The witness attended a meeting where Superman addressed the group where Kallon was also in attendance. The witness will testify to the command of Kallon as rebels were fighting in Rogberi against ECOMOG. The witness will testify to specific troop movements and command structure en route and during Freetown invasion. The witness was told at Makeni that Superman had sent a message to Issa Sesay asking him to make contact with Sam Bockarie. The witness will testify to mass abductions of</p>

PSEUDONYM	COUNTS	SUMMARY
		civilians during Freetown invasion used to carry loads. The witness was told that this was done by Kallon. The witness saw dead bodies when the group left Makeni, looting of vehicles by Base Marine, and burning of houses in Freetown. The witness will testify that the RUF commanders during January 6 Freetown invasion were Superman, Rambo, Komba Gbundema, Bai Bureh, Col. Snake, Morris Kallon, Augustine Gbao and CO Kai. The witness states that there were AFRC members but does not know their names. The witness will also testify about the attack on the UNAMSIL Malian contingent.
PN TFI-140	1, 7, 8, 9, 11, 12 and 13	<p>Koinadugu Crime Base</p> <p>This witness will testify to being captured by Savage in Tombodu at the end of the 1998 dry season. The group was mixed RUF, soldiers and Liberians. The witness was held with men, women and children, who had to do forced labour (cooking, washing, carrying loads, food finding). Some women captives became wives of the commanders. There were also child soldiers as young as 14 among the rebels. During captivity, the witness saw Savage, Brigadier Mani and other commanders leave and go to "clear Makeni" with many civilians. The witness will give evidence of how children up to 15 years old were given military training in Kamabai. The witness will testify how Savage and Mani moved to Kabala. The witness heard communications between Savage and SAJ Musa, who told him that he was going to Freetown. Savage did not go to Freetown, but went to Makeni. The witness stayed in Makeni during Kabala attacks, where he did work along with women and carried loads for the commanders.</p>
PN TFI – 141	1, 2, 3, 4, 5, 6, 8, 9, 19, 11, 12, 13	<p>Kailahun Crime Base</p> <p>This witness will testify to being an abductee of RUF rebels. He will provide evidence of Sam Bockarie having radio communications with Charles Taylor and Taylor ordering Bockarie to attack a village in Sierra Leone in the Kailahun district at some point in 1997 or 1998. The witness will testify that in 1998 or 1999 Sam Bockarie traveled to Liberia to obtain arms and returned with those</p>

PSEUDONYM	COUNTS	SUMMARY
		arms to Buedu in the Kailahun district of Sierra Leone. The witness will provide evidence that Charles Taylor visited Buedu in the Kailahun district of Sierra Leone on two occasions between 1997 and 1999; and that on the second of these visits, which occurred after the July 1999 Lomé Peace Accord, Charles Taylor said that Sam Bockarie should continue the revolution and that he would continue to support the revolution. The witness has indirect knowledge that on this same visit Sam Bockarie gave Charles Taylor an unknown quantity of diamonds. The witness has direct knowledge that two or three days after this visit, Sam Bockarie went to Liberia and returned with weapons to Buedu in the Kailahun district of Sierra Leone.
PN TFI- 013	1, 2, 3, 4, 5, 12, 13	Kono Crime Base This witness will testify that in September/October 1998 a large group of AFRC/RUF men together with Johnny Paul Koroma (JPK), Morris Kallon and Issa Sesay entered Tombudu Town. Also present were CO 55 and CO Augustine Gbao, who had arrived the day before. The witness will give evidence to how the civilian populace were forcibly summoned to attend a meeting; four men and two women who attempted to run were arrested and killed right in front of the crowd by the armed men. The witness will testify to Johnny Paul Koroma ordering the killing and burning of Tombudu and of people being burnt to death; that civilian belongings were looted and more than 100 civilians forced to carry them away for rebels. The witness escaped but was later captured again by rebels, whereupon the witness was forced to mine diamonds for the rebels. The witness will testify as to how mining operations continued day and night under gun point. The witness was only given gari to eat.
PN TFI – 157	1, 3, 4, 5, 11, 13	Bombali Crime Base This witness will testify that he was captured with others from Bornoya by SLA and RUF and taken to Rosos. The witness says that at Rosos 64 other small boys were trained in weaponry and military tactics. They were later met by

PSEUDONYM	COUNTS	SUMMARY
		commanders (including Brig. Mani, Col Kloyo, Brig. 55, SAJ MUSA, Adama Cut Hand) in Mamamah Village and prepared to proceed to Freetown. The witness will provide evidence of how rebels killed and looted in villages they passed through. The witness participated in the attack on Freetown. The witness will testify that Gullit and 55 were part of the group that planned the attack on Freetown.
PN TFI- 158	1, 4, 5, 11, 12	<p>Bombali crime base</p> <p>This witness will testify to capture in Bornoya, where the witness saw rebels burning houses and killing people. The witness was forcibly moved with the group to Karina, which was attacked by the soldiers. The witness will testify to hearing about killings in Karina, and subsequent movement with the group from Karina through to Lunsar. The witness stayed in Lunsar before moving to Makeni. At Rosos, the witness saw many young children. These children, including the witness, received military training at Rosos. The witness heard that 55 ordered military training for the children. The witness and other boys were also used for food-finding missions. The witness will give evidence on how captured civilians were forced to carry loads of food; how Gullit used to go on food-finding missions; and that food was brought back from these missions and stored in 55's office. The witness will testify to many of the men in Rosos with "wives" who were mostly women that had been captured. The witness will testify that Gullit and 55 were the commanders in Rosos; and that soldiers asked 55 for permission to go on food-finding missions.</p>
PN TFI – 020	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13	<p>Kono, Bombali and Freetown Crime bases</p> <p>This witness will testify that RUF/AFRC forces attacked Koidu in early 1998, where JPK ordered the killings of his parents. The witness will also testify to rapes, killings, and amputations of civilians by AFRC/RUF forces during the Koidu attack, and that JPK ordered his men not to kill young boys in order to use them as fighters. The witness saw at least 100 children (9-14 years, boys and</p>

PSEUDONYM	COUNTS	SUMMARY
		girls) abducted to Kabala, where he saw over 200 children being given military training. The witness saw young children used for chores. Brima's group had children of 14 and 15 years. The witness will testify to troop movements from Northern Districts south to the Western Area on the advance to Freetown in January 1999, which included child combatants under command of SAJ Musa, 55 and 05. The witness states that the AFRC/RUF looted civilian property, amputated, did mass killings, and abducted many civilians, including women who were raped and held as "bush wives".
PN TFI - 225	3, 4, 5, 11, 12	This witness will testify to his abduction at age 10 (likely in 1996). He was later trained at Koribundo under Monica, where he saw 300 trained, 100 of which were witness's age or younger. The witness will testify to staying there for one year. The witness says if trainees refused to cooperate, they were buried in a hole and that if a trainee did not shoot in a straight line, he would get shot. The witness states that Monica killed the boys. Boys were killed if they couldn't follow the training.
PN TFI – 199	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13	Bombali and Koinadugu Crime Bases This witness will testify that in June 1998 he was abducted at age 10 with other children. He saw his parents and uncle killed. The witness will testify to killings, beatings, amputations, rapes and abductions by rebels on way to Kabala. The witness will give evidence on the military training of children and the use of children in attacks on villages to get food, and the subsequent killings of civilians. The witness will give evidence on the captured ECOMOG troops being lined up and shot; as well as rebels burning villages. The witness saw girls aged 13 or 14 raped in public, sometimes by Commanders themselves, and of commission of amputations and looting by rebels. The witness tried to escape, but was captured, beaten and flogged with machetes. At Gberi Junction, the witness saw UN vehicles driven by RUF soldiers, who were wearing UN caps.

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 117	1 4, 5, 6, 8, 11, 12	<p>Freetown Crime Base</p> <p>This witness will testify that he was abducted at age 10 when RUF attacked Tongo after which he received military training. The witness will testify to being taken to Liberia to fight and was there for 6 months. Sam Bockarie (Mosquito) was there with them. The witness fled from Liberia to Kailahun, and joined in attacks by RUF on villages. He saw rapes and the burning of houses. The witness saw Augustine Gbao give an order to capture a woman, cut her open and take her liver. The liver was later buried. During the attack on Kulahun Village, the witness saw Gbao give an order to shoot civilians at random because of SLA attack. After the 1997 coup, the witness moved from Kailahun to Makeni. Later he was taken to Freetown with orders to loot. He was in Freetown for 1 week. On way to Makeni the witness was told by one of the commanders that the AFRC was unable to pay soldiers and that they should pay themselves. The witness saw many soldiers looting in Makeni.</p>
PN TFI-131	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	<p>Koinadugu, Bombali and Freetown crime bases</p> <p>This witness will testify to abductions in July 1998 by rebels in Katombo II village. Witness (12 yrs at time) and other captives travelled with RUF/AFRC. On their way, the abductees were forced to carry loads and weapons. Rebels used razors and printed AFRC on chest. They travelled with Northern Jungle under 05 and Cuthand to Freetown invasion. The witness saw killings of civilians, rapes, amputations, looting, burning, abductions throughout to the advance to Freetown. After amputations, civilians were told to go to Kabbah and to blame him for what happened. The witness will testify to presence of 50 captives once in Koinadugu. The witness will testify to captives being sent on food finding missions. The witness will give evidence on presence of Superman, SAJ, 05 in Koinadugu, and of 55 during Kambia/Bombali operations. The witness will give evidence on death of SAJ Musa, and amputations in Freetown invasion under Cuthand, witness states who was under 05. the witness saw military training of children. He saw Brigadier Bazzy in Koinadugu, and saw civilians under the</p>

PSEUDONYM	COUNTS	SUMMARY
		command of 55. The witness will give evidence on rebel invasion of Freetown, including meeting RUF who were led by Superman who had come to reinforce AFRC. The witness has evidence on 55, Bazy and Gullit were all with SAJ Musa during movement to Freetown. The witness will testify to rebel use of extensive radio communication systems, and to seeing many captured women being taken as “wives” by the AFRC/RUF.
PN TFI-130	3, 4, 5, 9, 10, 11, 12, 13	<p>Bombali Crime base</p> <p>This witness will testify to abductions of 50 children (mostly girls and 14 or younger) in 1998 during attack on Kamakwie. Just before his 15th birthday, the witness given training and forced to fight and kill civilians who refused or could not carry loads. The witness will testify that Morris Kallon radioed Taylor requesting troops to start mining in Kono, and that Charles Taylor sent many troops. The witness will testify to rapes, abduction of women and the use of these women in domestic labours. The witness will give evidence that Issa Sesay and Morris Kallon were at the camp in Kamalu and on the chain of command. The witness given drugs. The witness saw civilians beaten and killed by other small boy combatants.</p>

EXTENSIVE WITNESSES

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 189	1, 2, 6, 7, 8, 9, 10, 12	<p>Kailahun Crime Base</p> <p>This witness will testify to the command structure in Kailahun District, including the position of Issa Sesay; the mutilation of civilians in Kailahun District; sexual slavery; abductions, forced labour, military training of abductees, including children; and vehicle traffic between Liberia and Buedu, Kailahun District.</p>

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 045	1, 2, 6, 7, 8, 9, 10, 12, 14, 17	<p>Kenema, Kono, Freetown Crime Bases</p> <p>This witness will testify to the relationship between the RUF and Charles Taylor and his subordinates; the position of Special Forces and Vanguard, including Sam Bockarie, Issa Sesay, Morris Kallon, in the RUF; the AFRC/RUF alliance; and the command structure within the RUF, AFRC and AFRC/RUF alliance. The witness will give evidence on the de facto and de jure authority of senior AFRC/RUF leaders, including Foday Saybana Sankoh, Johnny Paul Koroma, Sam Bockarie, Issa Sesay, Morris Kallon, Alex Tamba Brima, and their activities; and communication within the AFRC/RUF. The witness will give evidence of diamond mining operations in Tongo Field and Kono and the transfer of diamonds to RUF / AFRC commanders, the use of diamonds to sustain AFRC/RUF operations in Sierra Leone; mutilation of civilians; abductions, use of abductees for forced labour, sexual slavery, and military training of abductees; and the use of child soldiers. The witness will testify to the AFRC/RUF movement toward Freetown and the attack on Freetown in January 1999. The witness will give evidence on the attacks on UNAMSIL personnel, including involvement of Issa Sesay. The witness will provide evidence about the ammunition supplies for the RUF and the AFRC/RUF alliance, including supplies from Liberia.</p>
PN TFI – 151	1, 2	<p>Kono and Kenema Crime Bases</p> <p>This witness will testify to the use of diamonds from Kono and Tongo Field to sustain the AFRC/RUF operations; the relationship between the RUF, including Foday Saybana Sankoh and Issa Sesay, Morris Kallon, the AFRC and Charles Taylor and his subordinates; the command structure of the RUF, including Foday Sankoh and Issa Sesay, Morris Kallon; and the supply of arms and ammunition from outside Sierra Leone, including the involvement of the AFRC and RUF.</p>
PN TFI – 153	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13	<p>Kono, Freetown Crime Bases</p> <p>This witness will testify to the relationship of senior leaders within the AFRC and</p>

PSEUDONYM	COUNTS	SUMMARY
		AFRC/RUF alliance, including Foday Sankoh, Johnny Paul Koroma, Alex Tamba Brima, Morris Kallon, Issa Sesay; the relationship between the AFRC and the RUF; the de facto and de jure authority of AFRC/RUF leaders including Foday Sankoh, Johnny Paul Koroma, Mosquito, Alex Tamba Brima, Morris Kallon, Issa Sesay, and their activities; the movement of the AFRC/RUF alliance forces toward Freetown; the January 1999 attack on Freetown; the retreat from Freetown; the direct command structure for the Freetown attack and retreat, including Alex Tamba Brima and Morris Kallon; the direct involvement of Alex Tamba Brima in killings in Freetown in January 1999; the direct involvement of Alex Tamba Brima in burning of civilian structures in Freetown in January 1999; communications within the AFRC/RUF alliance; abductions, including of young children, and training and use of child soldiers; the rape of civilians; the killing of civilians; the looting of civilian property; and diamond mining in Kono District and use of diamonds by the AFRC and the RUF.
PN TFI – 033	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 17	Bombali, Kono, Freetown, Koinadugu Crime Bases This witness will testify to the relationship between the AFRC and the RUF; the de facto and de jure authority of Alex Tamba Brima; the 1998 activities of the Northern Jungle group, including: attacks against Kono District in April 1998; attacks against Bombali District in June 1998; attacks against Kambia District in June 1998; and the movement toward Freetown and the activities along the route, including attacks. The witness will also give evidence on the Northern Jungle involvement in the January 1999 attacks against Freetown; the command structure, including Alex Tamba Brima, and organization of the Northern Jungle group, communication between the Northern Jungle group and the RUF, within the AFRC/RUF. The witness will testify to the killing of civilians; rape and sexual slavery; mutilations of civilians; abductions of civilians; burning of civilian structures; and attacks on UNAMSIL personnel, including direct attacks by commanders such as Augustine Gbao.

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 168	1, 2, 3, 4, 5, 9, 10, 11, 12	<p>Kenema, Kailahun Crime Bases</p> <p>This witness will testify that in February 1997, Steve Bio, Gibril Massaquoi and Foday Sankoh went to Nigeria to procure arms to continue the war in Sierra Leone and to topple the government. The witness says that Steve Bio boasted of contacts with members of the Sierra Leone army whom he said were ready to join and fight against the government. The witness will provide evidence on how during the AFRC regime, Mosquito was based in Kenema; and that B.S. Massaquoi and others were killed in Kenema pursuant to Mosquito's orders. The witness will testify that when the AFRC and the RUF were pushed out of Freetown in February 1998, they went to Kono where they engaged in killings and amputations of people. The witness will provide evidence of visits to Charles Taylor by Mosquito during 1998 and that Mosquito had close links with Charles Taylor.</p> <p>The witness will give evidence that on December 1997, the RUF, on orders from Mosquito, detained in Kailahun town 65 civilian men ranging from ages 19 to 70 and from different parts of Kailahun District, on suspicion of being Kamajors; and that in February 1998, RUF MPs under the supervision of their commander, killed 64 of these 65 men by the police barracks area in Kailahun and that Augustine Gbao was the MP commander for the whole of Kailahun District, but he was not present during the killing of these men. The witness heard that the order to kill these men came from Mosquito. The witness will give evidence that Johnny Paul Koroma was kept under house arrest in Kailahun by Mosquito. The witness will testify that between June and November 1998, the RUF conducted military training of about 200 people, including boys as young as 10, in Bunubu, in Kailahun District, under the command of a Liberian woman named Col. Monica Pearson. The witness will testify that the AFRC and RUF attacked Kono around December 1998, led by Issa Sesay. The witness will testify that RUF senior commanders, Superman and Gibril Massaquoi, were not on good terms with Mosquito, and found it easier to work with the AFRC; and that senior RUF commanders were part of the troops that attacked Freetown.</p>

PSEUDONYM	COUNTS	SUMMARY
PN TFI – 139	1, 2	<p>This witness will testify that during 1990 and 1991, Charles Taylor planned, organized, trained, directed and otherwise supported the Revolutionary United Front (RUF) both financially and logistically, including military training, physical cash, weapons, ammunitions, food, manpower in the form of NPFL troops, transportation, strategic tactical battle-front plan and professional guidance to invade Sierra Leone from the Liberian borders in Lofa County. The witness has direct knowledge that Taylor designated Corporal Foday Sankoh as the leader of the RUF. The witness will testify that this support continued throughout the 1990's. The witness will give evidence that in early 1991 Taylor planned to gain access to the rich diamond fields and mines of Eastern Sierra Leone in the Kono District so that the RUF could mine the diamonds and gold in that region. The witness will provide evidence that Charles Taylor issued certain operational orders and was in frequent communications to Sankoh, Sam Bockarie and other RUF leaders and junta leaders either directly or through his aide, Benjamin Yeaton; this included encouraging the AFRC and the RUF to work together. The witness will testify that Johnny Paul Koroma agreed to cooperate with the RUF and requested a commitment for future arms should the AFRC be attacked by foreign powers. The witness will testify that Charles Taylor met with and gave instructions to Sam Bockarie in February or March of 1998 for the RUF/AFRC forces to protect the Kono region's diamond fields during the ECOMOG's intervention, which had resulted in the removal of the AFRC junta government on or about 15 February 1998. Finally, the witness will provide evidence on arms and diamonds transactions during the time period of 1997-1999, including specific arms and diamonds shipments between Charles Taylor, Ibrahim Bah and Sam Bockarie in 1997 and 1998, and that proceeds of diamond shipments would go to Charles Taylor.</p>
PN TFI – 184	1, 2, 3, 4, 5, 9, 10, 11, 12, 13	<p>Bombali, Kono, Koinadugu Crime Bases</p> <p>This witness will testify to coordination between the AFRC and the RUF leadership following the 1998 intervention, including meetings, troop movements</p>

PSEUDONYM	COUNTS	SUMMARY
		<p>and attacks throughout Kono and Koinadugu districts.</p> <p>The witness describes in-fighting between AFRC and RUF troops in the North, and activities of northern troops. The witness will testify to the sacrifice of two young children by Alex Tamba Brima at Rosos by burying them alive, and evidence of Alex Tamba Brima launching "Operation Fearful the Area"; and of Alex Tamba Brima ordering the amputations of civilians, that dead bodies be placed on the road, and ordering the burning of villages. The witness will give evidence of wide-scale abductions of civilian men, women and children, and the provision of military training at a camp at Rosos. The witness will testify that other commanders with Alex Tamba Brima included Ibrahim Bazy Kamara, Santigue Kanu and George Johnson (aka "Junior Lion"). The witness will testify to the advance of forces to invade Freetown, including the killing of civilians, amputations, abductions, burning of houses. The witness will give evidence of command structure of the group invading Freetown, which included Alex Tamba Brima, Ibrahim Bazy Kamara and Santigue Kanu. The witness will provide evidence of the coordination and communications between Alex Tamba Brima, Ibrahim Bazy Kamara and Bockarie prior to the invasion.</p> <p>The witness will testify to events during the Freetown invasion, including how Alex Tamba Brima ordered killing and the burning of houses in the State house area after losing it to ECOMOG and how witness heard that Alex Tamba Brima ordered the burning of CID headquarters; and that Alex Tamba Brima ordered amputations of civilians because they had pointed out the rebel positions to ECOMOG. The witness will also testify to activities of Santigue Kanu and Ibrahim Bazy Kamara as they led troops during the Freetown invasion.</p> <p>The witness will give evidence about the retreat from Freetown, including widespread abductions of civilians, and the meeting of troops with the RUF stationed at Waterloo. The witness will testify that the RUF could not get past Waterloo but some RUF did manage to. The witness will give evidence of how the RUF and SLA remained at Waterloo for one week, and that they later moved to Newton, during which time they attacked Guineans and captured a large quantity</p>

PSEUDONYM	COUNTS	SUMMARY
		of weapons.
PN TFI – 325	1, 2	<p>This witness will testify to the 1991 training of the RUF in Liberia and an early attack on Sierra Leone by Charles Taylor, including the provision of arms and ammunitions from Taylor, Yeaten, and others to Sankoh. The witness will provide evidence that throughout the war, instructions were given from Taylor through to Bockarie, concerning the transfer diamonds in return for arms and ammunitions.</p> <p>The witness will give evidence of the governing body during junta regime, including the senior AFRC and RUF command, which included Issa Sesay and Morris Kallon.</p> <p>The witness will testify to much burning by SLA's and combatants in Kono in early March 1998, which was condemned by Issa Sesay.</p> <p>The witness will give evidence of the planning and organization of Kono attacks in late 1998 and that the commanding officer of the attack was Issa Sesay with Morris Kallon as his Deputy, under instruction from Sam Bockarie.</p> <p>The witness will testify to the announcement of Operation Spare No Soul, by Sam Bockarie. The witness will also give evidence of mining operations in Kono.</p> <p>The witness will testify to having heard of the detention and execution of Kamajors in Kailahun. The witness states that Sesay said the RUF should release them, however, Bockarie returned and they were killed. The witness states that Sesay was not in favour of what Bockarie did.</p> <p>The witness will give evidence of Charles Taylor's support to the RUF throughout the war, including details of a heavy arms shipment in November/December 1998.</p> <p>The witness will give evidence of a meeting in 1998 called by Sam Bockarie of RUF Vanguard, with Morris Kallon and AFRC present, at which time "Operation Spare No Soul" was announced by Bockarie on the BBC.</p> <p>The witness will testify that the Freetown attack was not planned by the RUF, that the RUF stopped at Rogberi and that Sesay went as far as two miles from</p>

PSEUDONYM	COUNTS	SUMMARY
		Waterloo. The witness will testify that Alex Tamba Brima and Santigue Kanu led the Freetown invasion.
PN TFI – 276	1, 11, 14, 17	<p>Bombali, Kono Crime Bases</p> <p>This witness will testify that Charles Taylor provided assistance, arms, medicine and personnel to the RUF. The witness will give evidence on the arms and diamond transactions and shipments through Charles Taylor and Bockarie from Liberia. The witness will provide evidence about the RUF chain of command, and that the RUF in command included Issa Sesay and Morris Kallon. The witness will testify that Small Boys Units, including boys of 10 – 12 years, were used in the Kono attacks led by Sesay and Kallon.</p> <p>The witness will give evidence that J.P. Koroma communicated with the AFRC and RUF commanders, Musa and Superman, to work together on the Freetown invasion; and that Bockarie also discussed with AFRC and RUF commanders about resolving differences to work together for the Freetown invasion.</p> <p>The witness will testify that Kallon and Gbao decided to attack UN peacekeepers in Magburaka, and that Sesay gave orders to Kallon to mobilize men to attack Kenyans in Magburaka and brought ammunition for the fight in Magburaka. The witness will also testify that Sesay gave instructions for the care of abducted peacekeepers, and that Sesay did not want to release peacekeepers being kept in Kono.</p> <p>The witness will give evidence on mining organized by Issa Sesay in 1999 in Kono, where civilians were forced to mine and were given soap and food.</p>
PN TFI – 275	1, 11, 12	<p>Bombali, Freetown Crime Bases</p> <p>This witness will testify to the joining of the AFRC and RUF immediately following the junta coup, including communications between senior leaders. The witness will give evidence on the command structure of the AFRC and RUF, including</p>

PSEUDONYM	COUNTS	SUMMARY
		radio communications between the two groups, and of in-fighting and subsequent re-coordination during 1998. The witness will provide evidence of an attack by AFRC and RUF troops on Makeni in December 1998 on instructions from Bockarie; and on request for reinforcement from Alex Tamba Brima from SAJ Musa, who was working with RUF commander in Koinadugu. The witness will testify that he heard that Alex Tamba Brima and Ibrahim Bazy Kamara commanded the group that invaded Freetown. The witness will also testify that Morris Kallon had children who used to "take care of him"; and that Sesay, Kallon and Gbao had women. The witness will testify that punishment was given for looting, including demotions.
PN TFI – 167	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	<p>Bombali, Kono, Koinadugu, Freetown, Port Loko Crime Bases</p> <p>This witness will testify to AFRC/RUF killings, sexual violence, looting and burning, abduction and forced labour, and the use of child soldiers throughout 1997 to 1999 throughout Sierra Leone.</p> <p>The witness will testify to the governing structure of the AFRC junta, including top AFRC/RUF commanders. The witness will provide evidence as to the command structure during AFRC/RUF operations in 1998, including the command authority of Issa Sesay, Alex Tamba Brima, Ibrahim Bazy Kamara and Morris Kallon.</p> <p>The witness will testify to the AFRC involvement in the planning of mining operation in Kono during the Junta. The witness will give evidence about a joint command structure in Kono in early 1998, involving Issa Sesay, Brima, Kallon and Ibrahim Bazy Kamara. The witness will provide evidence on the participation of Sesay in the planning and implementation of mining in Kono immediately after the intervention. The witness will give evidence of the distribution of arms and ammunition between the AFRC and RUF.</p> <p>The witness will give evidence on the command responsibility of Issa Sesay and of his reporting to Bockarie; of the command structure during the attack by Alex Tamba Brima's group on Karina; and of J.P. Koroma's position of authority until</p>

1445

PSEUDONYM	COUNTS	SUMMARY
		<p>his arrival in Kailahun in 1998. The witness will give evidence about mining operations in the Kono area, including the transfer of diamond through Bockarie to Taylor in Liberia in return for arms and ammunition.</p> <p>The witness will testify to the movement and attacks by two main groups of troops in the North, including during the 1998 advance to Freetown; give evidence of the command responsibility of Brima and Ibrahim Bazzy Kamara; and of communications and coordination between these two individuals with Bockarie prior to and following the Freetown invasion.</p> <p>The witness will give evidence of orders from Alex Tamba Brima of amputations and the implementation of "Operation No Living Thing" during the Freetown invasion.</p>
PN TFI – 138	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13	<p>Kono Crime Base</p> <p>This witness will testify to being captured in 1997 by SLA rebels along with many civilians. The witness will provide evidence as to large scale killings, abduction of civilians, forced labour, raping (including insertion of foreign objects) looting, physical violence, property destruction by burning, including during Operation Pay Yourself after February 1998. The witness also saw Commanders including Savage, Ibrahim Bazzy Kamara and Alex Tamba Brima killing civilians. The witness saw Alex Tamba Brima kill a young girl and boy by throwing them into a well in Kono. The witness saw 6 girls raped by rebels on veranda in Dankawalli during Operation Born Naked, which commanders witnessed but did not punish the perpetrators. The witness will testify that Morris Kallon witnessed the killing of civilians by other rebels; and that he was the overall commander in Pendembu. The witness saw 4 girls killed in Kono by Savage, who placed sticks up their vaginas once they were killed. The witness saw a big meeting between rebels in Kailahun. SAJ Musa, Brigadier Mani, Alex Tamba Brima and others participated in this meeting. The witness was herself raped many times and forced to marry a rebel. She will provide evidence that only female combatants could refuse sex and that civilian women were killed if they refused. She further states that female</p>

PSEUDONYM	COUNTS	SUMMARY
		abductees were forced to marry rebels. Children were given military training. The witness will provide evidence of Charles Taylor at training bases in Liberia, and of the presence of Augustine Gbao with the rebels.
PN TFI – 036	1, 2, 4, 5,	Kenema Crime Base This witness will testify to the abduction and training of civilians by the RUF in 1991. The witness will provide evidence of the joining of the AFRC and RUF forces during the junta time between senior AFRC and RUF leaders. The witness will provide evidence of arrests, detention, and killings of prominent citizens in Kenema, including B. S. Massaquoi. The witness will provide evidence of trips by Bockarie during 1998 and 1999 to Liberia and his return with ammunition on commercial trucks. The witness will testify to chain of command within the RUF.
PN TFI – 274	1, 3, 4, 5, 12, 13, 14, 17	Kenema, Kono, Freetown Crime Bases This witness will testify as to the organization of abductions, looting of food, and the surrender of diamonds to RUF command, including Foday Sankoh. The witness will give evidence on mining at Tongo Field, where civilians were forced to mine, and fired upon indiscriminately. The witness will testify that people were mining in Tongo for Bockarie or Santigue Kanu. The witness will give evidence on radio communications amongst RUF commanders, including Issa Sesay and Morris Kallon. The witness will testify to the planning of the Kono attack in December 1998 by the RUF command, including Issa Sesay and Morris Kallon, of communications between RUF and AFRC regarding reinforcement for the attack on Freetown, and of a dispatch of RUF to Freetown. The witness will give evidence of Bockarie disobeying instructions of Sankoh and of Issa Sesay attempting to arrest Bockarie on Sankoh's request. The witness will give evidence of hearing from Kallon and Gbao that the UN had forcibly arrested RUF; and that on Issa Sesay's instructions, peacekeepers in Kailahun were arrested. The witness will testify that later Sesay released the peacekeepers in

PSEUDONYM	COUNTS	SUMMARY
		Liberia.
PN TFI – 187	1, 3, 4, 5, 6, 7, 8, 12, 13, 14, 17	<p>Bombali, Kono Crime Bases</p> <p>This witness will testify as to the command structure, reporting and decision making within the RUF, including positions of Issa Sesay and Morris Kallon. The witness will testify to the decision making and command structures between the AFRC and RUF during and after the junta time. The witness will give evidence on the coordination between the AFRC and RUF, including meetings, communications and instances of working together, such as joint attacks throughout 1997 and 1998 and during the attacks on UN peacekeepers. The witness will testify to communications between Mosquito and Taylor, who gave instructions to Mosquito. The witness will testify that in 1997 and 1998, Morris Kallon was based in Bo, where the RUF were working with the SLA. The witness will testify to looting, sexual violence and killings during junta time, which were brought to the attention of Issa Sesay and other senior commanders. The witness will testify that relations between the AFRC and RUF were not cordial in March 1998; and that following the 1998 retreat, J.P. Koroma was not given power as Bockarie discovered that he wanted to escape to Liberia with foreign currency and diamonds. The witness will testify that some RUF were given strict instructions against looting, harassment and intimidation. The witness will testify as to diamond mining in Kono, where diamonds were given to Issa Sesay, who delivered them to Bockarie; and of the RUF command in charge of diamond mining.</p>
PN TFI – 210	1, 2, 3, 4, 5, 12, 14, 17	<p>Kailahun Crime Base</p> <p>This witness will testify to operating under Augustine Gbao, who was the commander of the RUF Internal Defence Unit in Kailahun from 1998 to 2000. The witness will give evidence on the attacks and abductions of UN peacekeepers, including how Issa Sesay passed instructions to arrest and hold</p>

PSEUDONYM	COUNTS	SUMMARY
		<p>the UN peacekeepers in Kailahun and how Gbao read a charge sheet to the abducted peacekeepers justifying the rebel actions. The witness will also testify to the planning of the December 1998 offensive, including a prior weapons shipment.</p> <p>The witness will give evidence of forced labour on farms in Kailahun, and the killing of 20 "Kamajors" by Bockarie in Kailahun while Gbao was present and in command of the area.</p>
PN TFI – 182	1, 3, 4, 5, 9, 10, 12, 13	<p>Koinadugu, Bombali, Freetown Crime Bases</p> <p>The witness will testify to the command structure during junta period and to a shipment of arms from Liberia. The witness will testify that during junta period, Alex Tamba Brima oversaw mining operations in Kono. The witness will provide evidence on compliance with "Operation Pay Yourself". The witness will testify to a meeting in Masiaka of senior AFRC/RUF commanders following the retreat from Freetown to discuss movements and operations, and a later similar meeting in Makeni. The witness describes troop movement from Makeni through Kabala to Kurubonla, where witness remained with troops of SAJ Musa. The witness describes in-fighting between the RUF and SLA in Kurubonla, and the later joining of SAJ Musa's group with Alex Tamba Brima, who was based at Rosos. The witness will testify to the command structure at Rosos, which included Alex Tamba Brima, Ibrahim Bazy Kamara, Santigue Kanu and George Johnson (aka "Junior Lion"). The witness describes hearing of a sacrifice of 7 young abducted girls by Alex Tamba Brima and of a later sacrifice of 2 young girls by Alex Tamba Brima – on both occasions by burying them alive in October 1998 prior to the joining of SAJ Musa's group with that of Alex Tamba Brima.</p> <p>The witness will give evidence of troop movement on the advance to Freetown and of the commanders, including Alex Tamba Brima, Ibrahim Bazy Kamara, Santigue Kanu and George Johnson (aka "Jr. Lion"). The witness will give evidence on the death of SAJ Musa at Benguima. The witness will testify that during the Freetown invasion there was widespread looting, amputations, both in</p>

1449

PSEUDONYM	COUNTS	SUMMARY
		the presence of Ibrahim Bazy Kamara and Santigue Kanu, who did nothing to stop the atrocities; and of Ibrahim Bazy Kamara ordering amputations.
PN TFI – 334	1, 2, 3, 4, 5, 12, 13	<p>Kono, Freetown Crime Bases</p> <p>This witness will testify to operating under Alex Tamba Brima and Ibrahim Bazy Kamara during 1998 and 1999. The witness will provide evidence on troop movements, communications and orders by AFRC/RUF commanders throughout 1998.</p> <p>The witness will testify to J.P. Koroma and Issa Sesay ordering that Kono be burned down and the people of Kono be killed as they had betrayed them. The witness will testify about J.P. Koroma ordering Operation Pay Yourself to SLA and RUF at the commencement of the intervention in 1998; of the command responsibility of Issa Sesay; of joint coordination between SLA and RUF operations in Kono, and of Sesay and Kallon ordering civilian mining.</p> <p>The witness will give evidence of an arms shipment during AFRC/RUF operations in Kono. The witness will also testify that commanding officers of both the RUF and SLA knew of the activities of Savage in Kono.</p> <p>The witness will testify about Alex Tamba Brima, Santigue Kanu and Ibrahim Bazy Kamara directing an attack on Karina and other villages, including ordering attacks on civilians. The witness will provide evidence on regular communication between Alex Tamba Brima and Bockarie, and between Alex Tamba Brima and Sesay.</p> <p>The witness will provide evidence on events during the Freetown invasion, including an order by Alex Tamba Brima to go after civilians and of the coordination between troops in Freetown under Alex Tamba Brima and RUF troops under the command of Issa Sesay and Morris Kallon.</p> <p>The witness will testify about the coordination and cooperation between the RUF and the West Side Boys until October 1999, when the West Side Boys were under the direction of Ibrahim Bazy Kamara, including communications between Ibrahim Bazy Kamara and Sesay and Bockarie.</p>

PSEUDONYM	COUNTS	SUMMARY
PN TF1-046	1, 2, 3, 4, 5, 6, 7,8,9, 10, 11, 12, 13, 14, 17	This witness will testify as to the relationship between the RUF and Liberian fighters in Sierra Leone; the relationship between the RUF and Charles Taylor and his subordinates; the command structure of the RUF, AFRC and the AFRC/RUF alliance; the relationship between senior officers including Sankoh, JP Koroma, Bockarie, Sessay, Kallon, Brima and Gbao; the positions of the Special forces, Vanguard and Junior Commandos within the RUF; the de facto and de jure authority of senior RUF, AFRC and AFRC/RUF alliance leaders, including Sankoh, JP Koroma, Bockarie, Sessay, Kallon, Brima and Gbao and the communications between and activities of the same; the supply of weapons, ammunition and other material to the RUF and AFRC/RUF alliance; diamond mining operations and the use of diamonds to obtain weapons and ammunition; the advance, attack and retreat from Freetown; the commanders of the Freetown attack, including Gullit; the attacks on UNAMSIL peacekeepers in 2000 and the involvement of Kallon, Sessay and Gbao; the rape and sexual slavery of civilians; the killing of civilians; the abduction, forced labour and military training of civilians; the use of child soldiers; the mutilation of civilians; and the looting and burning of civilian structures.

ANNEX B

DOCUMENTARY EVIDENCE

1452

Number	Item	Content	Relevance (by paragraph number)
1	Salute Report	Report to the Leader of the Revolution from Brigadier Issa H. Sesay, Battlefield Commander RUF S/L.	5, 8, 9, 10, 11, 12, 20, 24, 31, 32, 33, 33, 35, 36, 42, 43, 46, 47, 49, 52, 53, 54, 56, 60, 61, 65, 69, 70, 74, 76
2	Salute Report	Report to the Leader of the Revolution, RUF S/L from Major General Sam Bockarie.	5, 8, 9, 10, 11, 12, 20, 24, 31, 32, 33, 33, 35, 36, 42, 43, 46, 47, 49, 52, 53, 54, 56, 60, 61, 65, 69, 70, 74, 76
3	Leadership Memo	Memo to 'The Leader' from 'The Black Revolutionary Guards'	5, 6, 10, 11, 12, 13, 31, 32, 33, 34, 38, 39, 45, 46 49, 50, 52, 55, 56, 57, 59, 63, 64, 68, 72, 73, 77, 79
4	Nominal Roll of Trained Personnel (RUF/SL) marked "Restricted"	List of thirty RUF/SL conscripts with associated RUF/AFRC commanders.	31, 40, 65
5	Diamond Production Records	Stage II Kono Production 02-03-99 to 11-1-2000 Dates, From Whom Received, No. of pieces, Caratage, Percentage (last column not clear)	33, 34, 66, 68
6	RUF Mining Units Record Book	Tables of Areas and Diamond Mining Stages	33, 34, 66, 68
7	Letter	Letter from Mayor P.S. Bienda to Cpl F. Sankoh 16 – 09 – 99	31

1453

Number	Item	Content	Relevance (by paragraph number)
8	Patrick Beinda statement	Statement by Patrick Beinda on 24 September 1999 at the Presidential Guest House, Monrovia, Liberia about the order he received to help resolve dispute in RUF in Makeni in February 1999.	31, 32
9	Samual Lamboi statement	Statement to the Sierra Leone police on 7 June 2000 - Outline of radio call signals	Used in combination with radio logbooks (see below)
10	Letter	Letter from Bobby Dixon to Foday Sankoh 11 Jan 2000	32, 33
11	Letter	Letter to Foday Sankoh from the Black Guard Commander 18 Oct 1999	13, 31, 33
12	Letter	Letter from Foday Sankoh to ECOMOG Major General Kpamber, ECOMOG 27 Dec 99	13, 33
13	Letter	Letter from "The Operators" (radio) To: "Area Cmdr one through RUF touris infors the leader" (sic) 28 - 04 - 00	33, 80 Also used in combination with radio logbooks (see below)
14	Letter	Letter to Foday Sankoh from Michel 28 April 2000	32, 33

1454

Number	Item	Content	Relevance (by paragraph number)
15	Letter	Letter from Foday Sankoh to Mohamed Talabi, Libyan embassy in Accra, Ghana. 26 June 1996	7, 33
16	Letter	Letter from Foday Sankoh to Mohamed Talabi, Libyan embassy in Accra, Ghana. December 1996	7, 9, 33, 34
17	Radio Log Book communication	Radio communication from Foday Sankoh to All Commanders 6 April 2000	31, 38, 80
18	Radio Log Book communication	Radio message from Rashid Sandy to Foday Sankoh 20 April 2000	31, 38, 80
19	Radio Log Book communication	Radio message from the Leader 28 April 2000	31, 38, 80
20	Radio Log Book communication	Radio message from Issa Sesay 5 May 2000	31, 38, 80
21	Radio Log Book communication	Radio message from Jackson Swarray 14 January 2000	33, 38, 80
22	Radio Log Book communication	Radio message from The Lion 29 April 1995	34, 35, 36
23	Radio Log Book communication	Radio message from The Lion 6 May 1995	33

1455

Number	Item	Content	Relevance (by paragraph number)
24	Radio Log Book communication	Radio message from Makeni to Foday Sankoh 5 May 2000	31, 36, 38, 80
25	Radio Log Book communication	Radio message to Issa Sesay and Foday Sankoh 3 May 2000	31, 36, 38, 80
26	Radio Log Book communication	Radio message from Foday Sankoh to Issa Sesay 3 May 2000	31, 36, 38, 80
27	Radio Log Book communication	Radio message from Foday Sankoh to Issa Sesay 4 May 2000	20, 22, 31, 36, 38, 80
28	Radio Log Book communication	Radio message to Johnny Paul Korma and Foday Sankoh (Smile) from Col Issac 23 Sep 1999	11, 13, 31,
29	Radio Log Book communication	Radio message to Sam Bockarie (Concord) from Issa Sesay (SSS) 14 October 1999	31, 36, 38, 41
30	Radio Log Book communication	Radio message to Sam Bockarie (Concord) from Issa Sesay (SSS) 14 October 1999	31
31	Radio Log Book communication	Radio message to Sam Bockarie (Concord) from Issa Sesay (SSS) 15 October 1999	11, 13, 31

1456

Number	Item	Content	Relevance (by paragraph number)
32	Radio Log Book communication	Radio message to Foday Sankoh 16 October 1999	34
33	Radio Log Book communication	Radio message from Bishop Beguzzi to Sam Bockarie 17 October 1999	31
34	Radio Log Book communication	Radio message from Foday Sankoh to Sam Bockarie 20 October 1999	11, 13, 31
35	Radio Log Book communication	Radio message from Foday Sankoh to Issa Sesay 23 October 1999	31, 36
36	Radio Log Book communication	Radio message from Foday Sankoh to Issa Sesay 28 October 1999	31, 36
37	Radio Log Book communication	Radio message from Issa Sesay to Foday Sankoh. 12 November 1999	31, 36, 38, 39, 41
38	Radio Log Book communication	Radio message from Superman to Foday Sankoh No date listed	31
39	Radio Log Book communication	Radio message from Issa Sesay to Foday Sankoh 5 December 1999	31, 36

1457

Number	Item	Content	Relevance (by paragraph number)
40	Radio Log Book communication	Radio message from "RUF women" in Kailahun to Foday Sankoh 7 December 1999	31, 55
41	Radio Log Book Communication	Radio message from Sam Bockarie 15 December 1999	31
42	Radio Log Book communication	Radio message from Sam Bockarie 15 December 1999	31, 32
43	Radio Log Book communication	Radio message from Ibrahim Bah to Foday Sankoh 28 December 1999	32, 33
44	Radio Log Book Communication	Radio message from Ibrahim Bah to Foday Sankoh 12 January 2000	32, 33
45	Radio Log Book Communication	Radio message to Issa Sesay 19 March 2000	31, 36
46	Radio Log Book Communication	Radio message from Morris Kallon to Issa Sesay 25 March 2000	31, 36
47	Radio Log Book Communication	Radio message from Augustine Gbao to Foday Sankoh 18 April 2000	32, 33, 31, 36
48	Radio Log Book Communication	Radio message from Morris Kallon to Foday Sankoh 23 April 2000	31, 36, 38, 80

1458

Number	Item	Content	Relevance (by paragraph number)
49	Radio Log Book Communication	Series of radio transmissions between Sam Bockarie, Foday Sankoh and "Blackguards." 15-16 October 1999	13, 15, 31, 34, 36, 38, 41, 74
50	Radio Log Book Communication	Radio transmission from SS William to Issa Sesay 5 August 1999	11, 13, 20, 21, 31, 36, 38
51	Letter	Letter from Foday Sankoh to ECOMOG Commander General Kpamber 22 November 1999	34, 36
52	Letter	Letter from "The Operators" to Area Commander (RUFP) 28 April 2000	34
53	Letter	Letter from Melosky Kallon to Foday Sankoh 18 April 2000	31, 33
54	Letter	Letter from John Caldwell, President of the US Yrading Investment Company to Foday Sankoh 22 November 1999	33
55	Memorandum	Memorandum of Understanding with Samuel Isidoor Weinberger	33
56	Letter	Letter from Michel to Foday Sankoh 3 July 2000	32, 33

1459

Number	Item	Content	Relevance (by paragraph number)
57	Letter	Letter from Issa Sesay, People's Army to Sam Bockarie 13 August 1997	9, 13, 14, 31
58	Kenema Police Report	"CID Office Station Diary" 1/98 – 7-2-98 - Pages 112 (date 28-01-98), 127 (30-01-1998) 181 (05-02-1998) 182 (06-02-1998)	44, 60
59	Letter	Letter from the United Nations Observer Mission in Sierra Leone to Corporal Foday Sankoh 26 June 1999	31, 34, 39, 40, 52, 53, 54, 55, 56, 57, 66
60	Memo	Memo to Santigie Kanu aka "5'5" 22 August 1997	31
61	Report	Report to Foday Sankoh from Major Francis Musa 31 August 1999	13, 15, 31, 32, 33, 38 49, 56, 63, 72, 79.
62	Record of Meeting	Minutes of the Family Reunion Reconciling Chairman Foday Sankoh and Chairman Johnny Paul Koroma 7 April 2000	13, 15, 25, 29, 31, 33
63	2 Letters	Two Letters from D. Jones to Flight Captain Ousseine Banao	13, 15, 31, 32, 33, 49, 56, 63, 72, 79
64	Letter	Letter to Dennis Williams and Haroun Sankoh from Philip Bangura, Sir Ousseinne Baneo and Banjah Marah 24 Nov 1998	13, 15, 31, 32, 33, 49, 56, 63, 72, 79

1460

Number	Item	Content	Relevance (by paragraph number)
65	Letter	Letter to Dennis Williams and Haroun Sankoh from Philip Bangura, Sir Ousseinne Baneo and Banjah Marah (handwritten fax) No date	13, 15, 31, 32, 33, 49, 56, 63, 72, 79
66	Letter	Letter from MWL to DWL on "Outcome of meeting" 7 December 1998	13, 15, 31, 32, 33, 49, 56, 63, 72, 79
67	Letter	Handwritten Letter to Mr. Joseph Koroma from Ousseine Banao with copy to Banja Marah 20 Nov 1998	13, 15, 31, 32, 33, 49, 56, 63, 72, 79
68	Letter	Letter from Banjah, Communication officer for the AFRC and Aide De Camp to AFRC Chairman to Johnny Paul Koroma 10 August 1998	13, 15, 31, 32, 33, 49, 56, 63, 72, 79
69	Radio Log Book Communication	Radio Communication from The Lion to S/Man Brig. Mani, Black Jah & Gaffa 30 April 1999	13, 15, 25, 31
70	Radio Log Book Communication	Radio Communication from Black Jah to the Lion 1 May 1999	13, 15, 25, 31
71	Radio Log Book Communication	Radio Communication from The Lion to Equalizer, Mani, Black Jah & Gaffa 5 May 1999	13, 15, 25, 31

1461

Number	Item	Content	Relevance (by paragraph number)
72	Radio Log Book Communication	Radio Communication from Superman to The Lion 24 May 1999	13, 15, 31, 33, 34, 38, 45, 47, 52, 53. 59. 61, 68, 69, 76, 77
73	Radio Log Book Communication	Radio Communication from Time Bomb to Smile 21 June 1999	13, 15, 33
74	Radio Log Book Communication	Radio Communication from SSS to Smile 25 July 1999	13, 15, 33
75	Radio Log Book Communication	Request from Brigadier Bazie No date	13, 15, 25, 33
76	Radio Log Book Communication	Radio Communication from Foday Sankoh (Smile) Brig. Mani for all commanders 27 July 1999	36, 38, 39, 40, 56, 57 65, 72, 73
77	Radio Log Book Communication	Radio Communication from Issa Sesay (SSS) to Foday Sankoh (Smile) 4 August 1999	13, 15, 25
78	Radio Log Book Communications	Two Radio Communications from Foday Sankoh (Smile) to Brig. Bazil (Bazzie) 5 August 1999	13, 15, 25
79	Report	Report from the RUF G-5 Central Command in Makeni to Regional I.O. Commander (Northwest) 17 September 1999	31, 36

1462

Number	Item	Content	Relevance (by paragraph number)
80	Report	Sierra Leone People's Army – Makeni, Report from the Sierra Leone People's Army G-5 Central Command to Lt. Gandhi 13 October 1999	31, 36
81	Report	Report from the G-5 office. No date	31, 36
82	Report	Restricted Report from the Sierra Leone People's Army G-5 Central Command, Makeni to the Director General of Administration 18 October 1999	31, 36
83	Notice	Notice from Revolutionary United Front Defence Headquarters in Makeni to "Functional RUF Authorities" 13 July 2000	31, 33, 36
84	Letter	Letter from Sam Bockarie to Charles Taylor, President of Liberia 24 June 1998	31, 32, 33
85	Letter	Letter from the AFRC/RUF Headquarters, Kailahun to Lord Eric Avebury 12 May 1998	13, 15, 31, 33
86	Six Letters	6 Letters from the AFRC/RUF Headquarters, Kailahun 12 May 1998 to the following: 1) Chairman of ECOWAS	13, 15, 31, 33 36, 38, 39, 77

1463

Number	Item	Content	Relevance (by paragraph number)
		2) OAY Secretary General 3) UN Secretary General 4) Bill Clinton, President of United States 5) Konan Bedie, President of Cote d'Ivoire 6) Nelson Mandella, President of South Africa	
87	Report	Report from Camp Lion Training Base Training Comandant Beudu to G-1 Commander at Beudu on Recruits 21 May 1998	31, 36, 65
88	Letter	Letter from Administrative Office, Kono from Samuel Jabba, Lt. Col, RUFP to G-1 Commander 14 August 2000	31, 36, 38, 41 (if we can id Jabba as a perp in crime base)
89	Report	Report of the Sierra Leone People's Army to Brigadier Peter Vandt from the Joint Security Board of Investigation 5 April 1999	31, 33, 36, 38, 41
90	Letter	Letter from Major AS Kallon, Chairman, Joint Security Kono to Col. Sam Bockarie 6 May 1998	31, 33, 36, 45, 52, 59, 68, 77
91	Report	Report from the Revolutionary United Front Administrative Headquarters, Kono Branch 19 September 2000	24, 31, 33, 36, 38, 41

14671

Number	Item	Content	Relevance (by paragraph number)
92	Training Manual	Revolutionary United Front Party of Sierra Leone People's Army Notes on the RUFS/I. Guerrilla Warfare For the Lion National Training Base February, 1999 WAR Office	31, 36
93	Memorandum	Memo 10/7/97 AFRC Sec-Genl-Commander, Peoples' army.	13, 33, 34
94	Supreme Council Meeting	Minutes dated 23 January 1998 of meeting of AFRC Supreme Council held on 9 December 1997.	13, 14, 22, 23, 28, 29
95	Supreme Council Meeting	Minutes dated 16 August 1997 of meeting of AFRC held on 11 August 1997.	13, 14, 22, 23, 25, 26
96	Memorandum	Memo from G5 office of the Peoples' Army to Johnny Paul Koroma signed by Lamin. 22 December 1997	13, 31, 36, 38
97	Speech	Document headed "restricted" speech by AFRC Chairman.	14

1465

Number	Item	Content	Relevance (by paragraph number)
98	Speech	RUF speech to the nation (18 June 1997 – delivered on SLBS).	13, 36
99	Proclamation	AFRC Proclamation – PN no.3 of 1997 (28/5/97)	12, 13, 14, 31
100	Decree	AFRC (Establishment of Council of Secretaries) Decree 1997 – Decree no.2 of 1997. Signed by Johnny Paul Koroma.	12, 14, 31
101	Decree	AFRC (Establishment of Office of Principal Liaison Officer) Decree – Decree no. 3 of 1997.	23, 26, 31
102	Government Notices	Government Notices No 215 (P.N. No. 3 of 1997) of 3 September 1997 published in gazettes nos. 52 and 54 of 4 September 1997 & 18 September respectively.	12, 13, 22, 23, 25, 26, 28, 29, 31
103	Government Notice	Government Notice 272 (P.N. No. 3 of 1997)	22, 23, 31
104	Decrees	Decrees 1, 4, 5, 6 and 7 of 1997.	12

1466

Number	Item	Content	Relevance (by paragraph number)
105	Letter	Letter from Asst. Sec., Ministry of Social Welfare, Children & Gender to Attorney General 7 July 1997	31, 36, 65
106	Registry of Births and Deaths Record	Record of Deaths 1 – 19 th Jan. 1999, Births and Deaths Registry	38, 39, 49
107	Statement to Sierra Leone Police	Statement by Martin Moinama to Sierra Leone Police 17 March 1998	9
108	SLBS Radio Broadcast	25 May 1997, 19:30 GMT	12
109	SLBS Radio Broadcast	25 May 1997, 18:42 GMT	12
110	SLBS Radio Broadcast	28 May 1997 10:00 GMT	13
111	SLBS Radio Broadcast	30 May 1997 19:22 GMT	13
112	SLBS Radio Broadcast	29 May 15:26 GMT	14
113	Speech	Address by Major Johnny Paul Koroma, Head of State and Chairman of the Armed Forces Revolutionary Council, Freetown, 1 June 1997	13, 31
114	AFRC Press Release	3 January 1998	13
115	RUFP Parliamentary Candidates	Contains the full name of Accused Sesay	31

1467

Number	Item	Content	Relevance (by paragraph number)
116	Speech	Statement on the historic return to Freetown, Sierra Leone, of the Leaders of the Alliance of the Revolutionary United Front of Sierra Leone and the Armed Forces Revolutionary Council, 3 October 1999.	13, 15, 31
117	Speech	Personal Statement by Lt. JP Koroma on 1 October 1999	13, 15, 31
118	Constitution of Sierra Leone 1991	Sections 55, 156	14
119	Order	Changes of Titles Order, 1997 – Public Notice 11 of 1997	14
120	Photographs	Pictures taken by OTP Investigations Unit corresponding to witness statements	Various districts and counts depending on photo.
121	Video cassette	Video taken by OTP Investigations Unit Corresponding to witness statements	Various districts and counts depending on video.
122	Video cassette	Video clips of AFRC/RUF during the Coup and video of eastern Freetown after the AFRC/RUF invasion in January 1999	Coup Freetown invasion counts
123	Video cassette	Video clip of eastern Freetown as shown by witness PN TF1-093, former RUF who was part of invasion.	Freetown invasion
124	United Nations Document	Statement by the President of the Security Council, 4 December 1996, S/PRST/1996/46, paragraph 2.	11

Number	Item	Content	Relevance (by paragraph number)
125	United Nations Document	Resolution 1132 (1997), Adopted by the Security Council at its 3822 nd meeting on 8 October 1997.	11,13
126	United Nations Document	Security Council Resolution 1181 (13 July 1998), para. 1	8, 16
127	United Nations Document	Fourth Report of the Secretary General on the Situation in Sierra Leone, S/1998/249 (18 March 1998), paragraph 6, 20.	7, 15
128	United Nations Document	UN Department of Humanitarian Affairs, Situation Report, p.1 , 8-14 July 1997	9
129	United Nations Document	Sierra Leone Humanitarian Situation Report 4-5 June 1997, UN Office for the Coordination of Humanitarian Affairs, para. 5.	12
130	United Nations Document	UNHCR Report on Atrocities Committed Against the Sierra Leone Population, UNHCR Conakry Branch Office, 28 January 1999, Victim reports Cases #1-38.	12, 13, 35
131	United Nations Document	Sierra Leone Humanitarian Situation Report 17 July – 10 August 1999, Section 1,2,3,5.	15
132	United Nations Document	Sierra Leone Humanitarian Situation Report 03-09 October 1999, Section 1,2,3.	15, 16

1469
6974

Number	Item	Content	Relevance (by paragraph number)
133	United Nations Document	First Progress Report of the Secretary General on the United Nations Observer Mission in Sierra Leone, 12 August 1998 (S/1998/750) paras. 10, 12, 13, 14, 33, 36, 37, 38	15
134	United Nations Document	Second Progress Report of the Secretary General on the United Nations Observer Mission in Sierra Leone, 16 October 1998 (S/1998/960) para. 21.	15
135	United Nations Document	Third Progress Report of the Secretary General on the United Nations Observer Mission in Sierra Leone, 16 December 1998 (S/1998/1176) para. 18.	15
136	United Nations Document	Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 4 June 1999 (S/1999/645) para. 7, 19, 20, 30, 31, 32.	15
137	United Nations Document	First Report on the United Nations Mission in Sierra Leone (UNAMSIL), 6 December 1999 (S/1999/1223) para 3, 4, 7	15
138	United Nations Document	Sierra Leone Humanitarian Situation Report 14 July 1997, UN Office for the Coordination of Humanitarian Affairs	13, 31, 65
139	United Nations Document	Sierra Leone Humanitarian Situation Report 8 September 1997, UN Office for the	31, 65

Number	Item	Content	Relevance (by paragraph number)
		Coordination of Humanitarian Affairs	
140	United Nations Document	Report of the Panel of Experts Appointed Pursuant to UN Security Council Resolution 1313 (S/2001/1015)	32, 33
141	United Nations Document	Statement by the President of the Security Council, United Nations Security Council S/PRST/2000/24 (17 July 2000)	38, 80
142	United Nations Document	Statement by the President of the Security Council, United Nations Security Council S/PRST/2000/14 (4 May 2000)	38, 80
143	United Nations Document	Security Council Resolution 1289 (7 February 2000) para 4.	14
144	United Nations Document	Security Council Resolution 1270 (22 October 1999) para 6.	16
145	United Nations Document	Security Council Resolution 1316 (30 March 2001)	38, 39, 40
146	United Nations Document	Security Council Resolution 1313 (4 August 1999)	38, 39, 40
147	United Nations Document	Security Council Resolution 1306 (5 July 2000)	38, 80
148	United Nations Document	Security Council Resolution 1299 (19 May 2000)	38, 80

Number	Item	Content	Relevance (by paragraph number)
149	United Nations Document	Security Council Resolution 1220 (12 January 1999)	38, 39, 40
150	United Nations Document	Sierra Leone Humanitarian Situation Report 7-20 November 1999, UN Office for the Coordination of Humanitarian Affairs, Section 2.	16
151	United Nations Document	Sierra Leonean Humanitarian Situation Report 25 July – 07 August 2000, UN Office for the Coordination of Humanitarian Affairs, Section A.	15
152	United Nations Document	Fourth report of the Secretary-General on the United Nations Mission in Sierra Leone, 19 May 2000 (S/2000/455)	38, 80
153	United Nations Document	UNCHR Background Paper on Refugees and Asylum Seekers from Sierra Leone (Nov 98)	7-16, 39, 40, 59, 65
154	United Nations Document	Thirteenth Report of the Secretary General on the United Nations Observer Mission in Sierra Leone, 14 March 2002 (S/2002/267) para 2.	7
155	United Nations Document	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, S/1995/975, paragraph 2.	9

Number	Item	Content	Relevance (by paragraph number)
156	Report of Non-Governmental Organization	Human Rights Watch, "Getting Away with Murder, Mutilation and Rape" Vol. 11, No. 3 (A) June 1999 p1-4, 6-54.	9, 11, 12, 13, 19, 39, 40
157	Report of Non-Governmental Organization	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone," Vol. 10, No. 3 (A) July 1998 p 4, 15-23.	7, 12, 13, 39, 40
158	Report of Non-Governmental Organization	Amnesty International, "Sierra Leone 1998 – a year of atrocities against civilians". (Excerpt, pp 1, table of content (p2), 14-28)	8, 10, 19 39, 40
159	Report of Non-Governmental Organization	Human Rights Watch, "We'll kill you if you cry, Sexual violence in the Sierra Leone Conflict" Vol. 15 No. 1 (A), January 2003	38, 39, 40, 51
160	Report of Non-Governmental Organization	United States Department of State, "Human Rights Practices for 1998 Report", Sierra Leone Country Report, February 1999, p. 1.	7
161	Report of Non-Governmental Organization	Amnesty International, "Sierra Leone: Childhood – a casualty of conflict", AI Index: AFR 51/69/00, 31 August 2000, p. 1.	7
162	Report of Non-Governmental Organization	The Coalition to Stop the Use of Child Soldiers, "Child Soldiers: Global Report", Sections: Child soldiers, An Overview; Sierra Leone, May 2001.	7,10, 34, 65
163	Report of Non-Governmental Organization	United States Department of State, "Sierra Leone Country Report on Human Rights	12, 13

Number	Item	Content	Relevance (by paragraph number)
		Practices for 1997”, Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, p. 1.	
164	Report of Non-Governmental Organization	Amnesty International 1998 Annual Report on Sierra Leone (the Republic of), p.1.	12, 13
165	Report of Non-Governmental Organization	International Rescue Committee, “Situation Report on Human Rights Violations in and around Makeni town, in the Bombali District, Northern Province, Sierra Leone, West Africa,” (December 1998 – July 1999)	38
166	Report of Non-Governmental Organization	Medecins San Frontieres, “Mutilation of civilians in Sierra Leone,” 23 May 1999	38, 39, 58
167	Report of Non-Governmental Organization	Amnesty International, “Rape and other forms of sexual violence against girls and women, “AFR 51/53/00, 29 June 2000	38, 39, 40, 51
168	Report of Non-Governmental Organization	Human Rights Watch: “World Report 1999: Sierra Leone, Human Rights Developments.”	38, 39, 40
169	Report of Non-Governmental Organization	International Medical Corps – Press Release on Sierra Leone Program	38, 39, 40
170	Report of Non-Governmental Organization	Human Rights Practices for 1998, “Sierra Leone Country Report”, released by the Bureau of Democracy, Human Rights, and Labor US Dept of State Bureau of	38, 39, 40

14241

Number	Item	Content	Relevance (by paragraph number)
		Democracy, February 1999 (Excerpt, pp 1, 3-4)	
171	Report of Non-Governmental Organization	Amnesty International, "The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community", AI Index: AFR 51/14/98, 24 July 1998.	38, 39, 40
172	Report of Non-Governmental Organization	Amnesty International Annual Report 1999, "AI Report 1999: Sierra Leone".	38, 39, 40
173	Report of Non-Governmental Organization	The Heart of the Matter (Partnership Africa Canada)	32, 33, 34, 38
174	Report of Non-Governmental Organization	War-Related Sexual Violence in Sierra Leone	38, 39, 40, 51
175	Report of Non-Governmental Organization	Médécins Sans Frontières, "Mutilation of civilians on the increase in Sierra Leone", 5 May 1998	38, 39, 40, 58
176	Report of Non-Governmental Organization	Médécins Sans Frontières, MSF 1998 Report, "Atrocities against civilians in Sierra Leone", 1 May 1998.	38, 39, 40
177	Report of Non-Governmental Organization	Human Rights Watch: "World Report 1999: Sierra Leone, Human Rights Developments". (Excerpt, p1)	38, 39, 40

1475

Number	Item	Content	Relevance (by paragraph number)
178	Report of Non-Governmental Organization	Amnesty International "Annual Report 2000, Sierra Leone".	38, 39, 40
179	Report of Non-Governmental Organization	Women Waging Peace and The Policy Commission, "From Combat to Community: Women and Girls of Sierra Leone", Dyan Mazurana and Khristopher Carlson, January 2004.	38, 39, 40, 51, 65
180		No Peace Without Justice, Conflict Mapping Report	5, 7, 8, 9, 10, 11, 12, 13, 14, 33, 34, 38-80
181	News Report	Washington Post, "An Axis connected to Gaddafi; Leaders trained in Libya have used war to safeguard wealth", Douglas Farah, 2 November 2001.	9
182	News Report	Ibrahim Abdullah, "The Revolutionary United Front of Sierra Leone", in "African Guerrillas", Ed. Christopher Clapham	9
183	News Report	Sierra Leone News Archives from Sierra Leone Web Dates: 29, 28, 4, 2, 1 May 2000	38, 80
184	News Report	BBC News, "Grim Facts of Sierra Leone's War", 13 February 1999.	38, 39, 40
185	News Report	Sierra Leone News Archives for dates 25, 28 May 1997	12, 13, 14

Number	Item	Content	Relevance (by paragraph number)
186	News Report	Sierra Leone News Archives 25, 28, 30 June 1997	31, 36, 38, 43, 75
187	News Report	Sierra Leone News Archives 6, 8, 12, 13, 14, 17, 22, 26 January 1999	31, 33, 49, 56, 63, 72, 79
188	News Report	Radio Netherlands Report 21 January 2000.	22, 36
189	News Report	AAP Newsfeed, "AFR: Sierra Leone Villagers tell of rebel atrocities", Clarence Roy-Macauley, 10 May 1998.	7, 11, 13, 38, 39, 40
190	News Report	BBC News, "Freetown Bears the Scars", 27 February 1999.	38, 39, 40, 49, 63, 72, 79
191	News Report	Article from SL News Archives, 1 February 1999, published on the Sierra Leone Web	38, 39, 40, 49, 63, 72, 79
192	News Report	BBC News, "Covering the battle for Freetown", 18 January 1999.	38, 39, 40, 49, 63, 72, 79
193	News Report	Article from SL News Archives, 5 March 1999, published on the Sierra Leone Web	39, 40, 56, 65, 66, 72
194	News Report	Article from SL News Archives, 25 February 1999, published on the Sierra Leone Web	39, 40, 65, 66, 72
195	News Report	Article from SL News Archives, 20 May 1998, published on the Sierra Leone Web	33, 38, 39, 45, 77

1477

Number	Item	Content	Relevance (by paragraph number)
196	News Report	Article from SL News Archives, 29 April 1998, published on the Sierra Leone Web	32, 33, 58, 59
197	News Report	Article from SL News Archives, 13 April 1998, published on the Sierra Leone Web	31, 33
198	News Report	“Sierra Leone-Children: Young, Armed and Dangerous” Lansana Fofana, Inter Press Service, July 1, 1997	36, 65
199	News Report	Guardian Article: “UN gets evidence of war-zone diamonds trade”, Richard Norton-Taylor, 1 August 2000	20, 32, 33, 35
200	Map	Map of Sierra Leone, Scale 1:350,000	18
201	Treaty	Article 3(1) of the Convention (IV) to the Protection of Civilian Persons in the Time of War Geneva 12 August 1949.	17, 20
202	Treaty	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977	17, 20
203	Record of States Party to Geneva Conventions	ICRC, States party to the Geneva Conventions and their Additional Protocols Geneva Conventions of 12 August 1949 and their Additional Protocols of 8 June 1977	17

1478

Number	Item	Content	Relevance (by paragraph number)
204	Accord	The Abidjan Peace Accord, 30 November 1996, The Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL)	11
205	Accord	The Conakry Accord: 23 October 1997 - ECOWAS SIX-MONTH PEACE PLAN FOR SIERRA LEONE 23 OCTOBER 1997 - 22 APRIL 1998	14
206	Ceasefire Agreement	The Agreement on Ceasefire in Sierra Leone 18 May 1999 (Paragraph 6)	13, 15, 31, 36
207	Accord	The Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL) "The Lome Peace Accord" 7 July 1999	16
208	Photos	Pictures taken on killed civilians during the January 1999 Freetown invasion	49
209	Photos	Pictures taken of BS Massaquoi after his arrest in Kenema Town in 1998	44, 60
210	Photos	Pictures taken of mass graves in Kailahun Town	46